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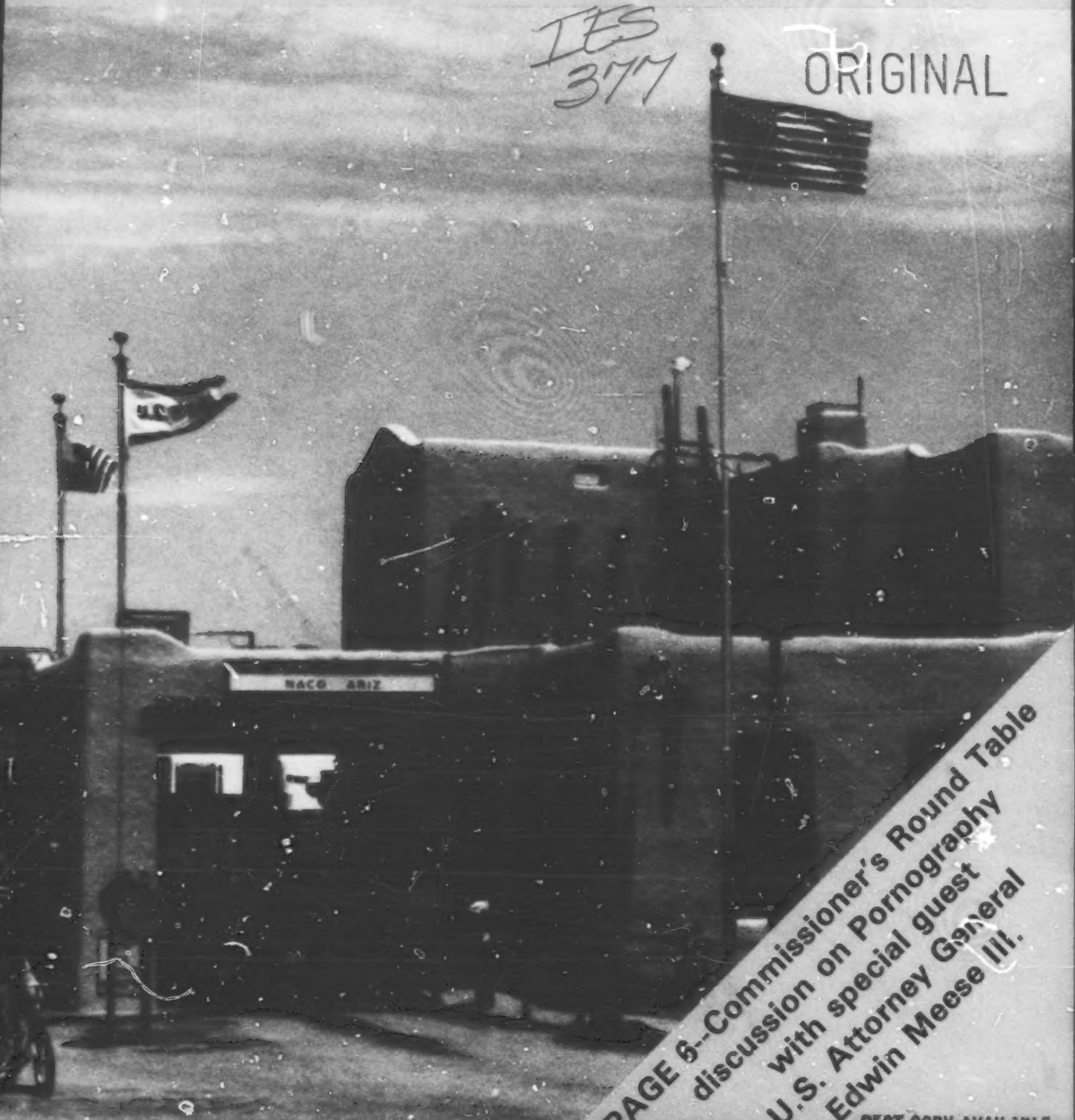

PAGE 6--Commissioner's Round Table discussion on Pornography with special guest U.S. Attorney General Edwin Meese III.

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Comment

Over the past year, Customs has made tremendous strides in its enforcement program.

The lead story in this issue of Customs Today focuses on one of our more brilliant successes—Inspection and Control's carrier initiative. Specifically, the article looks at a joint agreement which was signed by Customs with the International Air Transport Association to deter drug smuggling on commercial aircraft. This agreement was a landmark effort, and it follows closely another agreement which was signed last March with the Air Transport Association.

These agreements are designed to strengthen airline industry efforts in deterring the use of their airplanes and equipment by drug smugglers. The employees of those airlines which endorse these two agreements are clearly our allies in our effort to catch drug smugglers.

In addition, in recent months Customs has developed a drug-smuggling awareness program in South Florida and in Louisiana. In South Florida, citizens may call a toll-free hot line number (800-BE ALERT) to report what they believe is drug-smuggling activity. They can remain anonymous if they wish, but still receive cash rewards up to $2,500 for information which results in a significant arrest, seizure or indictment. Callers who come forward and meet with our agents and investigators are eligible for greater rewards, but we have found that over 70 percent of the callers don't want the money; they just want to do their part to help us catch drug smugglers

We have received outstanding support for this program from U.S. Customs Explorers and other Law Enforcement Explorers in Florida, who distributed drug-smuggling awareness posters and pamphlets at marinas throughout the state. In addition, Customs Explorers have been manning the hot line under the close guidance of Customs officers in the Miami Intelligence Unit.

In Florida, we also recently organized the Blue Lightning Strike Force, which merges the people and resources of local police and sheriffs with our own officers, to form a single, coordinated enforcement unit. Through Blue Lightning and the Drug Smuggling Awareness Program, Federal, State and local law enforcement officials, as well as private citizens, have pooled their resources and are now working together in the fight against drug smuggling.

Working together:

- Customs working with airlines.
- Customs working with citizens.
- Customs working with Federal, State and local law enforcement officials.

This is the theme that I have struck for Customs in the coming year.

In the past we have enjoyed great support from the American people. But I feel that we are now in a unique position to motivate these people, who have supported us so well with their words, to now come forward to support us even more with their deeds.

William von Raab

William von Raab
U.S. Commissioner of Customs

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Customs Today

Department of the Treasury
U.S. Customs Service

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The Carrier Initiatives Program

By Victor G. Weeren

Air Transport Association Chairman Paul Ignatius and Commissioner von Raab sign the ATA Customs agreement on drug interdiction cooperation on March 28, 1985.

On July 30, 1985, at Customs Headquarters, Commissioner William von Raab and Assistant Director General R. R. Shaw of the International Air Transport Association (IATA) jointly adopted guidelines for deterring drug smuggling on commercial aircraft.

A similarly worded agreement was signed last March by the Commissioner and Paul R. Ignatius, Chairman of the Board, Air Transport Association of America (ATA).

IATA's members carry the bulk of the world's scheduled air traffic under the flags of more than 100 nations.

ATA represents 31 major U.S. and Canadian airlines that fly some of the heaviest traveled routes into the United States.

Both far-reaching agreements are

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Assistant Director R.R. Shaw of the International Air Transport Association (IATA) briefs the press on new guidelines under which the 137-member associations' airline personnel will work with Customs to eliminate drug smuggling in nonpublic locations on aircraft arriving in the United States. Shaw, Commissioner William von Raab and other IATA officials announced the agreement at a press conference at Customs' headquarters last July.

designed to strengthen airline industry efforts in deterring the use of their airplanes and equipment by drug smugglers.

Some of the key elements in these agreements include preflight inspections by member airlines to insure that no contraband has been placed on the aircraft by ground service personnel, flight attendants or mechanics; flagging suspicious freight shipments for Customs attention; tightening access restrictions to cargo and passenger areas; making drug awareness training part of the regular curriculum at airline training academies; and providing assistance on passenger flight information upon Customs request.

Drug awareness posters produced by Customs have been placed around ATA member carrier locations soliciting information of suspicious activities and promising rewards of up to $50,000.

The IATA agreement was negotiated with IATA, then ratified and adopted by its worldwide membership of 137 carriers.

At this writing, nine air carriers and six sea carriers have also signed individual agreements with Customs, providing for many new practices and procedures to prevent the use of their conveyances by drug smugglers.

The United Nations Economic and Social Council and the Customs Cooperation Council (C.C.C) have also drafted resolutions urging their respective governments to work more closely with their common carriers to join in various anti-smuggling initiatives.

Customs Can't Do It All

These agreements, protocols and resolutions are the by-product of a general "get tough with commercial carriers" policy initiated by Commissioner von Raab at an anti-smuggling forum he chaired for all major carriers in Washington on April 18, 1984. Before this huge gathering of carrier executives, the Commissioner stated that "Customs can't do it all." He told them that as part of their normal procedures for maintaining aircraft and seacraft security and safety, they should also help to insure that their planes and ships were also drug free before they left for the United States. Many in the room listened attentively but stated they were in the people and cargo movement business and not in the drug detection business. The Commissioner listened to their stories patiently but closed the proceedings with the warning that if drugs continued to be found in areas on planes and ships not generally accessible to the traveling public (wheel wells, crew quarters, etc.), he would have no other recourse but to order seizure of these common carriers. A week later, April 24, 1984, the Commissioner's warning was put to test as the 22nd cocaine seizure was made on an Eastern Airline aircraft arriving at Miami Airport. The cocaine was found in the plane's avionics compartment and brought the total amount of cocaine found in the previous year in this manner to 233 pounds. The Commissioner ordered the plane seized (See "Customs Today'" Spring 1984, for full story) but later released it after Eastern's President Frank Borman personally stepped in to implement security procedures on all United States-bound Eastern flights from Colombia. These security procedures formed the basis of the various agreements mentioned earlier that we now refer to as the Carrier Initiatives Program.

A Big Success

Is the Carrier Initiatives Program working? Definitely. Not only have drugs not been discovered on carriers,

Commissioner William von Raab and Michael M. Murphy, president of the Pacific Merchants Shipping Association (PMSA), shake hands after signing an agreement to strengthen efforts to deny the use of West Coast shipping by drug smugglers. The pact is part of Customs' Carrier Initiatives Program and is similar to other agreements reached with the International Air Transport Association (IATA) and the Air Transport Association of America (ATA). It was signed at a special meeting in Customs' headquarters last July. PMSA represents more than 20 West Coast sea carriers.

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such as Eastern, with these security procedures in effect, but the program has had a decidely positive aspect. Seizures made as a direct result of information and assistance provided to Customs by carrier managers and employees total 13,788 pounds of marijuana and 214 pounds of cocaine since the program's inception. The best example of this new-found cooperation came on May 23, 1984, just a month after the Eastern airline seizure, when an Eastern employee at Logan Airport in Boston became suspicious of a shipment from Jamaica that had no identifying paperwork. He notified the Customs inspector on duty who found 34 pounds of marijuana in one-pound coffee cans. In a congratulatory letter about this incident to Frank Borman, Commissioner von Raab summed up the whole Carrier Initiatives Program when he said, "This type of cooperation between the business community and Customs is the foundation of our joint effort to stem the ever-increasing flow of narcotics into the United States."

As these signed agreements have been put into use, there were fears that carriers' attorneys would use the signed agreements as their defense in forfeiture proceedings. Customs Chief Counsel has ruled that merely signing these agreements would be insufficient to support this defense. Only if a carrier had demonstrated that the elements of the agreement were implemented would this hold any weight in court.

But that is exactly the benefit of this program. If the carrier makes a serious effort to put these measures into effect, the chances of finding secreted drugs in its equipment are tremendously reduced. Customs is not in the business of seizing common carriers. Now that drug smugglers know that common carriers are no longer easy prey for importing their contraband into the United States, they have to utilize other expensive, more risky means. In this case, seizing planes was an effective means to an end.

At the press conference, Commissioner William von Raab (right) and Rodney Wallis, IATA Facilitation and Enforcement Director, field questions from the press about the Customs-airline industry cooperative program.

The industry has stepped forward in fine fashion in this partnership with U.S. Customs to prevent drug smuggling. As the U.N. and Customs Cooperation Council resolutions mentioned earlier are ratified, this partnership will extend to the customs services of all nations. U.S. Customs set the example and the rest of the world quickly saw the benefits. ■

Vic Weeren is Director of the Office of Inspectional Enforcement Liaison at Headquarters.

Drug interdiction posters now placed in ATA cargo and passenger areas are examined by Commissioner von Raab and ATA Chairman Ignatius.

Air carrier personnel inspect potential drug hiding places on a flight into Miami from Colombia, South America.

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R & D: U.S. and Canada Customs Get It Together

By Raymond D. Mintz

"Done in two original copies at Brussels this 15th day of June 1983 in the English and French language, all copies being equally valid." With these words, Commissioner William von Raab and Deputy Minister Robert Giroux of Canada Customs completed a process begun two years earlier to formalize and encourage cooperation on research and development (R&D) by U.S. and Canada Customs.

The full title of the written agreement signed in Brussels is the "Memorandum of Understanding for the Sharing of Research and Development Activities in the Enforcement Area between the Department of the Treasury of the United States of America and the Department of National Revenue, Customs and Excise, of Canada." At the working level, it is simply referred to as the "MOU on R&D".

This is the first agreement on R&D coordination between two customs agencies, although similar agreements are being discussed with other countries. The foundation for this agreement was laid in 1981, when Canada Customs began to establish a program of R&D in contraband detection. The objective was to apply technology to the development of systems for detecting concealed narcotics and other contraband on persons and in conveyances, goods and mail entering Canada. Aware of the extensive work already done by U.S. Customs in this area, Canada Customs initiated an exchange of information that evolved into a working relationship and the Canadian R&D program.

By August, 1981, cooperation had reached the point where Canada Customs agreed to reimburse U.S. Customs the sum of $14,000 as the Canadian cost of participation in a U.S.-sponsored study to determine the possibility of using nuclear magnetic resonance to detect drugs and currency. After preparing the official paperwork necessary to cooperate on even this small a basis, both agencies agreed that:

- Further cooperation and transfers of money would be desirable.
- Neither organization wanted to go through the bureaucratic efforts required to establish similar agreements for each future cooperative project.

As a result, it was decided that an umbrella agreement that formally established and endorsed a broad program of U S. and Canadian coordination on R&D projects of mutual interest would enable the technical groups to start jointly-funded projects more efficiently and with less administrative delay.

Bill Johnson, an engineer at the Research and Development Division at Headquarters, prepares to test a letter in a nuclear magnetic resonance (NMR) device to see if it contains narcotics. This sophisticated equipment is one of several projects the U.S. and Canadian Customs services are cooperating on under the mutual assistance program described in the accompanying story. It was originally developed by the U.S. State Department to detect explosives and was modified by U.S. Customs to enable it to detect cocaine. It was tested successfully last year in Customs Los Angeles mail branch.

Cooperative Efforts Promoted

The MOU on R&D provides this formal framework. It promotes cooperative efforts related to the detection of contraband and to other customs R&D matters in general. Areas of cooperation endorsed include the coordination of program and project work plans; the sharing of R&D resources such as technical information, equipment, facilities and personnel; and the joint funding of specific projects. The MOU also establishes a joint Steering Committee to periodically review the progress and results of the cooperative efforts under the agreement.

The Canadian participants are the Laboratory and Scientific Services Directorate, representing the scientific side, and the Postal and Courier Programs office, representing the operational side. In U.S. Customs, participants are the Research and Development Division and the

Continued on Page 36

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Commissioner's Round Table: Pornography

In this Commissioner's Round Table, participants discuss what Customs and other law enforcement authorities are doing to combat the flow of pornography into the United States. Participants joining Commissioner von Raab included U.S. Attorney General Edwin Meese III; David D. Queen, Acting Assistant Secretary of the Treasury for Enforcement & Operations; William P. Rosenblatt, the new Assistant Commissioner for Enforcement; Acting Chief Counsel Michael T. Schmitz; and Linda Mays, Program Manager for Customs mail branches, Duty Assessment Division, Headquarters.

Other participants included Customs Special Agents from the field. These were: James Burke from Boston, Mass., David Warren from Philadelphia, Pa., Gary Intinarelli from Los Angeles, Calif., Jack O'Mally from Chicago, Ill., Claude Smith from Dallas, Tex., Vincent McGuire from New York, N.Y., John Forbes from Bonn, West Germany, David Borden from Atlanta, Ga., and Raymond Martinez from Detroit, Mich.

Pornography discussion participants listen as Commissioner von Raab and Special Agent James Burke, Boston, talk about how to deal effectively with pornography importations. From the left: Special Agent Vincent McGuire, Special Agent John Forbes, Special Agent David Borden, Commissioner von Raab, Attorney General Edwin Meese III, a Justice Department official and Special Agent Burke.

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Commissioner:

I'm very proud and excited to be able to introduce to you Attorney General Meese, who is a great friend of the Customs Service.

And I might just ask those individuals at the table quickly to introduce yourselves and say where you're from.

Burke:
James Burke from Boston.

Warren:
Dave Warren, Philadelphia.

Intinarelli:
Gary Intinarelli from Los Angeles.

O'Malley:
Jack O'Malley from Chicago.

Smith:
Claude Smith from Dallas.

McGuire:
Vincent McGuire from New York.

Forbes:
John Forbes from Bonn.

Borden:
Dave Borden, Atlanta.

Commissioner (addressing Meese):

They are all special agents with the Customs Service. If I might just briefly introduce this meeting.

We have regular meetings at Customs Headquarters of the field officers involved in particular areas of our work.

And, as you well know, Customs, following a meeting with the President, took up the cause of pornography generally, and child pornography specifically. And it's a fascinating program within Customs because, to some degree, it grew on its own. We didn't put any particular resources into it at first, although now we have substantial resources in it. But it really came from the personal dedication and interest of the agents and inspectors involved in the program.

I can tell you that each and every one of the individuals here, as well as everyone working in Customs, has really almost been a volunteer in this program. And, in that sense, the enthusiasm, and the work, and, most importantly, the imagination has been terrific because this wasn't the result of a Headquarters' directive, beating a bunch of people over the head, telling them they had to do something, this is something that all of these people wanted to do.

Well, now we have a program of which we're extremely proud. One which has not only resulted in a reduction in some of the junk coming across the borders, but also the conversion of information that we have obtained from this into a lot of good criminal cases which we're working with the Post Office and the FBI, in many cases, and, very importantly, state and local police forces.

I think you'll find that Customs' activities have provided state and local police with a lot of information that they've needed to get to a lot of people that they have always known about but have never really been able to get. And, so, I think that we've had a very, very successful effort underway and continuing.

Maybe you would like to say a few words.

Attorney General Meese:

Well, let me just say a couple of things, because I'd really like to spend some time listening here and hearing what you have to say.

But, first of all, let me commend you for your efforts. I think what you're doing is a tremendous contribution to law enforcement generally, and particularly to the objectives of this Administration.

As you mentioned, it has ramifications for a lot of different things, including the organized crime involvement, which we've found has been pretty heavy around the country.

I'm very much impressed with the seizures and the dramatic increase in seizures that have taken place because of your efforts.

We think it's important, as you do. For this reason, we recently had a conference, where we brought Assistant U.S. Attorneys from the various offices in for a conference on pornography.

One of the things that has hampered all the efforts of law enforcement at the Federal level has been that not enough people knew what was going on, and not enough people had a specific focus on this. And we tried to do that with our U.S. Attorneys' Offices by having the conference and having a two-day seminar where we went into the prosecution of these kinds of cases. And I hope that you will be seeing the benefits of that as far as your dealings with the U.S. Attorneys' Offices.

As a matter of fact, I hope that we will have a candid and frank discussion today. And if there are problems, as there may well be in some places, because different U.S. Attorneys have different priorities, I hope you won't hesitate to let me know.

I'm interested in two kinds of problems. One, problems where there's a lack of aggressive prosecution or assistance in response to you. And, secondly, I'm interested in the kinds of problems that are technical in nature, or procedural in nature, that we can clear up by either improving our management system or by training sessions, because we intend to have these training sessions on a regular basis.

As far as pornography itself, what we're going after is not the kind of thing that's protected by the First Amendment. The Supreme Court has made it very clear that there is a category of material that has no protections of the First Amendment because it is so clearly pornographic.

If you will remember in their famous decision of 1972 they said we can't describe it but we know it when we see it. Well, I suspect you know pornography when you see it.

Just to show how things have happened, when I started as a prosecutor, a little over a quarter of a century ago—it's hard to believe—the stuff that we were prosecuting then as pornography is now openly sold at every airport newstand. So, you can see that the stuff that you're after is really the worst degrading material that people could conceive of. And it's hard to believe some of the stuff that is out there.

Particularly, in recent years, the child pornography problem has made it more than just a concern of social

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values generally. It's been a very real concern of a lot of people because of children being exploited, runaways, children kidnapped or otherwise, being involved in this stuff. And *I think that what you're doing here is a tremendous contribution as far as the whole justice effort of the Government is concerned.*

So, I commend you for it and want you to know that we'll do everything possible to support your efforts and to provide cooperation and assistance from the Justice Department.

Commissioner:

Thank you. As the Attorney General is well aware, I am sort of an extremist when it comes to this particular topic. As a matter of fact, just last Friday, I met with the Minister of Justice of the Netherlands, who tried unsuccessfully to persuade me that his country was really doing something about this.

Their child pornography law, just for your information, is not in effect, although many people think it is. It has to pass Parliament once again, and then they've got to return it to the Strasburg Council because it is not in agreement with the Strasburg Agreement on Pornography.

I told him that I can't image that a tightening up of the laws against child pornography would require your going to the Strasburg Convention.

And he said that that's not really the problem. The problem is that we're tightening up on child pornography, but we're widening the issue on every kind of pornography; and it's this loosening up of the provisions with respect to other pornography that requires us to go back to the Strasburg Convention.

And I said to him, "Well, that's bad news."

Jack (addressing O'Malley), you're known as a major player in this exercise. How is the program doing?

O'Malley:

I think it's come a long way. I think we have quite a ways to go. But, specifically, as far as the Justice Department, what I'd like to see is a little more liberalization of your guidelines regarding issuing of warrants and taking cases for prosecution.

Specifically, as it stands now, Mr. Meese, the general criteria for obtaining a warrant is, in Chicago, for example, multiple seizures in combination with other factors such as prior sexual misconduct with children, or member of a pedophile organization.

Special Agent John Forbes from Bonn, West Germany discusses overseas aspects of pornography investigations.

That is 180 degrees from, for example, Fargo, North Dakota, where they have, maybe, more resources to devote, where they'll deliver advertising matter, and they'll get a search warrant. And, as all of us here have found, these controlled deliveries and search warrants are the ticket to finding child molesters, and pedophiles, and everything else that comes along with it. It's our ticket in the door, and a wonderful investigative technique.

Commissioner:

Chicago is the area in which we got our first state and local task force going. Webb was largely involved in that wasn't he? I guess he's gone now.

O'Malley:

Dan Webb is now gone. Anton De Lucas is the U.S. Attorney. Jeremy Margolis actually figured very prominently, too. He left the U.S. Attorney's office and went to the Inspector General, a newly created position. With his prosecutorial background, he was able to bring various elements of the state and Federal together to work, and it worked very well.

I think the key to success is to get state possession statutes. If not, amend USC 2252 to include possession. That way we can get them every way.

And I think we're seeing a number of states—Illinois is just changing - make possession a felony offense. Combined with the Federal law, which is very strong, it's a good combination.

Attorney General Meese:

Well, this is very timely because tomorrow I'm doing my inspection visit for the Chicago office of the U.S. Attorney.

O'Malley:

Oh, dear. (Laughter).

Attorney General Meese:

I can understand, and I'm sure you can too, that different offices have to have different priorities. When you have major narcotic traffickers and some of the major defense procurement frauds, the kinds of things they do there, they do have to prioritize their workload.

But I think a little encouragement along this line probably wouldn't do any harm.

Commissioner:

What about the New York situation?

McGuire:

We've gotten a great deal of cooperation from the prosecutors. But the most recent problem we're run across is that the magistrate just point blank said I won't need a search warrant. He suggested a controlled delivery, then we return the next day, knock on the door, and ask for the material back.

So, we just went to Judge Altomari, explained what we had known from the past when we dealt with a pedophile, his entire history would most likely be inside the apartment, and that's the reason for our request for a search warrant.

So, the judge overruled the magistrate, and we went in, and it was 40 years of history of this man's pedophilia background. We took the local police along, and they made a drug arrest on just the drugs that he had.

Commissioner:

What kind of cases are you making in New York? I mean, will you give me a couple of examples of what's going on?

McGuire:

Well, in one of the most recent ones we had a man who tried to solicit young girls. This happened early in August. He put ads in the local Brooklyn newspaper, models wanted,

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TV careers, future video presentations. And, ironically, he called the daughter of a Customs Patrol Officer, who advised her father about it.

We, in turn, traced the call. Found out he was local, lived within seven blocks of the Customs Patrol Officer.

When she said she wouldn't want anyone to see these pictures, he indicated that he intended to ship the pictures overseas. That kind of gave us a Customs aspect of it.

So, at that stage of the game, she backed out by stating her friend Jackie would be interested. Jackie turned out to be an undercover policewoman.

Commissioner:

N.Y.P.D.?

McGuire:

Yes. A 24-year-old policewoman who could pass for 12 years old. It may sound hard to believe, but it's actually true. And she spoke to him on the phone. They agreed to meet. His particular thing was wanting a girl in a parochial school uniform.

She met him at the corner of 85th Street and 4th Avenue. And we watched him as he approached.

He then led her to the apartment. She was wired up. She did not cover. She didn't carry a weapon or anything like that. And he told her to put on the uniform and then go into various stages of undress. At that point, Customs agents and New York City police entered.

Then we went through what he had there.

And, ironically, the day before, he had taken a picture of a girl in a parochial school uniform. It had her name, the name of her school, and the date that the picture was taken.

And, then, as the newspapers covered it the following day, people came forward and said that the man's picture was familiar, that he had solicited their daughters. He worked as a hospital orderly. And apparently when there was a young girl on one of the X-ray tables he would try and solicit her for pictures. It became a big investigation, and the police department was well pleased with it.

Commissioner:

We often just let the local police departments take these. We sort of provide a service in this area, which I think is kind of a nice way for the Federal Government to work.

Vincent McGuire, a Special Agent from New York, talks about how Customs works with other agencies including the Justice Department in conducting pornography investigations.

McGuire:

But it was the Federal search warrant that got us in.

Commissioner:

Are there any cases of any consequence that any of you are aware of that we have had to take to state and local prosecutors rather than Federal prosecutors where we thought that the Federal prosecutor should have taken it?

Smith:

We had one in Oklahoma. It's past the plea bargaining stage now. But it will go to the State of Oklahoma, which has a very strong possession law. It's the case involving a man who was a top secret-cleared engineer at Tinker Air Force Base. He had a child's coffin in his living room.

"Is it pornography and should an investigation proceed?" asks Special Agent Claude Smith from Dallas.

The prosecutor in Oklahoma City has been excellent on these jobs in our opinion.

Commissioner:

And why wouldn't the Feds have taken the case? Did you give it to them or—

Smith:

Yes, sir. The original delivery was a little shaky as to whether it was actual child pornography or a couple of magazines of art work.

We felt like the original delivery that came from overseas and was seized at DFW Airport may not make it to the PC for the search warrant. And rather than take that chance, we thought maybe the Oklahoma state law would be much preferable.

Commissioner:

What about civil forfeitures? Are we getting the kind of response that we need on civil forfeitures, or are we still sort of wrestling over what should not be forfeited?

Smith:

In all four warrants that we've served in the last six months, part of the seizure was notices of abandonment that we had asked the recipient to fill out and return to us, plus any number of letters from U.S. Attorneys with cease and desist orders.

Commissioner:

We cannot use what we call a consent to forfeiture. And we have to take them all to judicial forfeiture, largely because of a decision that was made in the Second Circuit. Is that right? Are we having problems, Mike, on getting these things forfeited or not?

Schmitz:

That had been a concern in the Eastern District, which is the bulk of what comes in by mail. I know that there has been concerns expressed by Customs in New York that there is material that we felt could have been presented to a judge, then forfeited, but it would be returned as not meeting what they thought were the criteria.

Commissioner:

What we're trying to do here, and maybe we're trying to turn back the clock, but I feel that we can push a little bit in terms of what ought to be forfeited, and leave it up to the courts

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to say: "No, you're pushing too hard."

But what we're finding is, to some degree, some U.S. Attorneys, particularly in New York, are second-guessing the courts in terms of what they would and would not forfeit, and, therefore, are not accepting some of these items for forfeiture and are forcing us into the embarrasing position of having to return the things to the people from who tney were seized.

David, did you have a comment on that?

Warren:

Two things. One is, sometimes the system goes so fast that the stuff is destroyed before we can develop the case. Before we get the printout from New York, feed it into our intelligence system, and target the guy, the stuff has been destroyed and we can't make a controlled delivery. So, we have to target the individual.

And sometimes it's too slow, as you say. But when it's too fast, and the system is set up the way it is in New York, we have a lot of problems. By the time we get the printout of all the seizures that were made, it's already in the court procedure. It takes us almost 30 days to get it out of the system in Justice and get it back to the field so we can make a controlled delivery.

And if the guy's expecting it, sometimes he won't accept it in the mails. So, it does create a problem when we go too fast with the thing.

Commissioner:

Obviously, it would not be good enough for a criminal prosecution. Stuff we're just trying to get out of the mails, you know. There's now going to be no criminal prosecution on beastiality.

Warren:

There are U.S. Attorneys that will do it. I know up in Scranton they will prosecute on beastiality. Up in Pittsburgh they will go on beastiality. They'll go in Delaware on beastiality.

So, there are U.S. Attorneys that will go on those things.

Commissioner:

Well, do we shop around for U.S. Attorneys? Is that how we do it?

Warren:

No, we don't. There's a system that was set up since the priority was made in Justice where there are assistant U.S. Attorneys assigned especially that take all the pornography cases. They're pretty good. They're familiar with the warrants. They really handle the cases well, the prosecutions. They line up the expert witnesses to testify to the age of the children. And it works very well once we get it into the system.

O'Malley:

I think that the child pornography, and I'm not an attorney, but child pornography, in my opinion, should never be returned to anyone, regardless.

I think it's contraband and should be considered contraband.

Why can't we take child pornography and move it under Title 18, where we would not have to worry about the 1305 provision? Move it permanently where we wouldn't have to worry about it.

In Chicago, not knowing any better, when we first started, I told the Mail Branch to send me all the kiddie porn. I take it under the chain of custody. Because I felt it was more important to go to a prosecutor with Lolita 55 than to tell him I seized it, because neither one of us had a clear understanding just how bad it was.

I felt it was more important to show them the magazine than a seizure list. I end up having to eat a lot of child pornography because I won't always have enough to warrant a criminal case.

Commissioner:

Within the 14-day rule?

O'Malley:

Yes, Sir.

Commissioner:

I don't know if the Attorney General is aware of the 14-day rule. But, basically, within 14 days of seizure we must refer and a U.S. Attorney must file the forfeiture action.

Schmitz:

Courts have backed off a little on it in the child porn area in the Southern District of California. And a Congressman, last week, introduced legislation to give us the same slack and remove it back to at least 30 days.

In California, they are attempting to work it administratively under our administrative forfeiture guidelines until somebody tells us to stop.

Commissioner:

We had an incredible case in which we had to return some stuff. And the guy that showed up at the door—here, it's the Customs people returning something because it didn't get forfeited within the 14 days—and the guy was stark naked.

What about sentencing? How do you all feel about the sentences that have been dealt out in this area?

Warren:

In the Northeast, I think it should be stronger. Even if the U.S. Attorney himself has to come into the case with the assistant and make the recommendation on these cases, it should be made. He should be standing next to that assistant and recommending hard time for the people.

In the Philadelphia area, we've been working. We're organizing a Scranton area task force with the Lackawanna District Attorney's Office and the U.S. Attorney, FBI, Customs, Postal. And we're attacking the issue of really pushing for hard time for some of the people involved.

We've found that no study has been done on pedophilia.

There is no cure. Once a guy's a pedophile, he's a pedophile. There's no paper out. We need someone to give us a description. We need some background material on it, people to go in and interview these people. They all have common characteristics. They all deal with kids. They try to get jobs working with kids. They're not poor people. Some of them are very successful people. But somebody has got to put it together, somebody has got to say what they are. And there's nothing on it right now.

Commissioner:

It's probably a behavioral science problem.

Attorney General Meese:

Well, we have, as you know, a Commission on Pornography operating now. And I hope that some initial information will come out, because one of the things they're doing is trying to pull together all the material and the information that is available on the subject as a starting point. Then it may be necessary to go further and do some additional research or see if we can't get some additional research financed.

Commissioner:

John, would you give us the sense of the kind of cooperation we're receiving

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from Customs offices and police officials abroad?

John is in our office in Bonn, West Germany.

Forbes:

I'd say it's been typical of the cooperation we've received in every other type of investigation we've run in Europe.

The biggest problem, naturally, for us overseas has been Holland. Holland did not, essentially, have an effective child pornography law. Under the existing legislation there were provisions for distribution of child pornography. However, it was more or less a slap on the wrist. Most of these things were not really carried any further than a fine or a warning by the police.

New legislation has been passed—once it's effective it will give the police a more effective tool in going after these guys.

Their primary interest overseas had been the actual child abuse. Our primary interest as Customs officers had been seizing the contraband coming into the United States.

Commissioner:

Well, what happens if we give them a list of addresses? I mean, we gave the head of Swedish Customs a list of addresses. And he called me up and told me he closed down 15 plants.

Forbes:

What we're trying to do is get stuff seized in the United States sent back to the foreign governments in a way that they can use it in prosecution against foreign nationals.

There was a referral from the guys in Philadelphia on an individual who was a major supplier in Holland. As a result of the information, we were able to bring the Dutch into it.

Unfortunately, at this time, with the law as it is, there's not very much that they can do. But they have gone ahead and indicted the guy, which I think is the answer for us in the United States.

We've identified the major characters behind the firms in Europe. And what we'd like to do is target these guys. We know that the firms are involved in supplying a lot of materials here. We may not be able to get them overseas just yet. However, we can take action against them here.

We have been successful in Germany with another major supplier who had been operating in Holland. But the guy behind the firm is a German; so we've met with the German prosecutors, their internal revenue service people, and the regular police, trying to form a task force on this guy.

I think if we are successful in these events it will be instrumental in cutting down the amount of stuff that flows into the United States.

Sweden has been excellent, too, as far as cooperation.

Attorney General Meese:

Do you find that there is usually a good tax case in these matters?

Warren:

On the major stores that we're going after, the major dealers and the organized crime, there are tax cases. We're working on one with Rugieri up in Philadelphia who's connected with this, and he won't be indicted until we grab an individual coming into L.A. who comes in on a regular basis.

We've documented the violations. He's moving money into the banks, into stock brokerage firms, $20,000, $30,000 at a time.

We've got a tax case. We're working with IRS on him.

There's another case involving organized crime in Philadelphia. When we raided the place, he had $60,000 cash in his safe, along with child pornography pictures, and gold bars. And we've made a tax case with him, and it's going to be part of the joint indictment, both the pornography, and the tax violations and the smuggling of the pornography.

The newest thing we're doing is trying to do an undercover, reverse type of operation, where we're building our library of books, and then try to bring the people in to make the purchases, and see what type of money is flowing.

Martinez:

Commissioner, on the problem with the Department of Juctice, I don't think we've really gotten into that. But there have been some specific problems with different attorneys around the country. And some of the problems go from refusing to take appropriate action, even with what we consider a solid case, cases that have resulted in prosecutions and convictions at the state and local level, but also where they will accept absolutely an agreement.

There's one case on the West Coast where the individual was charged with three counts of the Child Protection Act and five counts of a 1461, which is through the mails. And a plea agreement was accepted for one count of 1461.

Now, this was in light of a previous Federal conviction in 1980 for a similar type activity.

Out of our Denver office we have U.S. Attorneys in the various areas that will not give Customs a search warrant. If you want a search warrant, contact the FBI and get them involved. They would not handle the investigation, the indictment, in a timely manner. And finally the agent took it to the local people because the Federals wouldn't accept it.

In New Orleans, we have an agent that went to the U.S. Attorney and they told them that it didn't meet the Miller standard, so we don't want to touch it.

Those are the kind of problems that we're having. They're very real problems. And I think they're not being addressed.

Attorney General Meese:

We have the U.S. Attorneys Conference coming up in two weeks, and I can talk specifically about this when I meet with all of them. We'll have all 93 U.S. Attorneys here. It will be a good chance to talk with them about it and also our Criminal Division.

As I say, I think in some cases it is a matter of workload, and in other cases it's a matter of taking cases where the judges are not enthusiastic, and, therefore, they don't realize that we have the responsibility to push these cases on the judges and get them enthusiastic.

But I think the thing that we can do is make it clear that this is one of the priorities, that it's related to our whole subject of missing and exploited children particularly, and that this is something that ought to be a priority.

Commissioner:

Well, listen, your appearance at this meeting in itself will just send tremedous bolts of enthusiasm through the Customs Service. I think your U.S. Attorneys had better be ready for a

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Noting that Assistant U.S. Attorneys have often been assigned to work with other agencies in making pornography cases, Special Agent David Warren (right) from Philadelphia participates in the discussion. Special Agent James Burke from Boston (left) listens.

tidal wave.

Attorney General Meese:

I'll tell them to look out for the onslaught of cases.

Well, listen, I appreciate the chance to be with you, and, again, congratulate you on what you have done, and ask you to keep up the good work, and we'll try to hold up our end.

Commissioner:

Okay, Super. Thank you very much.

Attorney General Meese:

Thank you. (Whereupon, Attorney General Meese departed).

Commissioner:

We haven't heard from Dave. Do you want to make any statements.

Queen:

I more less wanted to come and listen. Dave Warren and I go back to when I was a U.S. attorney. And my interest in the area, as he knows—I don't want to say I was a blank check. But when Dave did call, he said, what will you take? I said I'll take anything you bring me. And I think we stuck close to our word.

I'd be curious to know whether the fellows in the field would find useful something akin to a central data bank at Customs, which, in effect, the guys in the field would have to create by contributing certain types of data that Customs agents would call, for want of a better term, a statistical profile.

One that would allow you in a search warrant to be able to say special agent so-and-so at Customs Headquarters advises me that there have been 9,000 seizures since 1981, and in 88 percent of the searches at a residence the pornography covered a span of time, that they tend to collect rather than destroy, that they tend to save diaries. This would allow you to expand the scope of your search so you are not caught up in a lot of technicalities. It would also provide an index of these clowns who buy the stuff.

You would have something you can turn over to the locals. For instance, if someone says we've got a kid that's been molested in San Francisco. And he gives a general description. And you all could contact Headquarters and say, you know what, we've got 12 people in that same zip code who order the kind of material that shows the kind of kid who's involved.

Borden:

I was just going to say that on our first case in Atlanta I had to call the Los Angeles Sheriff's Department and get a pedophile profile from an individual there—Bill Warren. But that's what I had to use on the first one. It would have been a lot more convenient to have been able to call in here.

Queen:

You don't want to reinvent the wheel out in the field.

You know that there's a behavioral science unit at the FBI that does some of this. But they are not putting together a good quality statistical base. My sense is that Customs is really in a unique position in this area.

Unlike the FBI or the locals, and certainly more so than postal, you're really the choke line. And you can—you can keep track of the stuff, and where it goes, and what it looks like, and follow it through. And then if your guys in the field, after the fact, are willing to do some followup, find out from the locals what did you learn from the data we gave you, and have it all come back to a central location, then, when you have a problem, you can pick up the phone and call Customs Headquarters, and they can start to tick it off.

Commissioner:

You're right. We have internal procedures that we have to deal with. But we do have a whole bunch of garbage that comes through that we'd just like to get out of the system.

And, unfortunately, because of the bureaucratic problems, it doesn't get out of the system. And, so, to some degree that's not necessarily a criminal prosecution matter, but it is a civil forfeiture problem, and it's one that we find particularly troublesome.

Warren:

You know, there's something else we should have mentioned to the AG. I had wanted to, but I didn't get a chance. That's the bail issue.

If you go on a case and find Polaroid shots and everything, okay, you can arrest a guy. Some won't push for no bail, where some of them will. And we should stress that it should be no bail for everybody.

Queen:

That's exactly right. But they go into court, they are usually well educated, they have families, they sit there and the judge looks down and says, okay, he collects dirty pictures, but this guy really isn't dangerous.

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But if we could show the judge that over the last three years our statistics indicate that there is an 88 percent correlation between child pornography and pedophilia (I'm just making that number up), that's the kind of thing that might change the judge's mind.

And I don't see any sign that Justice is going to pick up on it and run with it.
Schmitz:
Something that David raised before, that pre-sentence investigation, as I understand, there is no expertise at all. Nor anything from a pyschiatrist. A lot of them have nothing to offer on the subject.
Queen:

That's exactly right. They've actually—they go out and interview these guys. And the shrink has never met an honest-to-good pedophile in his life.

Commissioner:

Well, I think that issue ought to be addressed. What about Boston? What's going on up there?
Burke:

Well, we have a new assistant U.S. Attorney to work with who is excellent. And she has pushed for the formation of the formal task force consisting of Customs, postal inspectors, F.B.I., Boston police, and Massachusetts State police.

And we are underway, we are doing, on a regional basis, what you suggested. We have taken the Customs seizure list, we have taken the postal inspectors' list that they have as a result of search warrants that they have served. And we hope to get the FBI list. And we're going to put everything into the computer system that we have at the regional intelligence branch and come up with a list of names in the computer that we can check, one, two, three, when we have a suspect.

We're also trying to address the issue of the library. In search warrant commissions that we've done, we have to be able to say that this person has received in the past a particular number of whatever, and we have to go on to describe that issue. Now, if I don't have the particular issue in Boston, I was calling the FBI, I was calling some of the U.S. Attorney's offices around to find that particular magazine.

Commissioner:

With the amount of magazines that come into this county, we ought to be able to create a library in about two days.
Burke:

And we have done several search warrants recently in which all three agencies have contributed.

Whoever develops the information, whether it be Customs, postal inspector, or the FBI, is the lead agency, and will write the formal reports, and will be in charge of the investigation, calling all the shots.

We just recently had a case where a postal inspector and I were co-applicants on the search warrant and the arrest. And in that particular case the assistant U.S. Attorney had to argue vehemently for no bail. And we were losing right up until the very end, when the magistrate finally swung over to our side and put the guy away.

It was an extremely difficult argument from her standpoint. The courts don't seem to recognize the fact that this person who is receiving child pornography is a danger to the community.

And, again, in sentencing, in the past, people who have received child pornography, the court looks at it mainly as just dirty pictures. They don't truly seem to focus on what the problem is, and that's child abuse.
And until recently the Commission of the U.S. Attorneys didn't recognize that problem either.

Commissioner:

Well, they're turning?
Burke:

Yes. The District of Massachusetts, I can say, is great.

Commissioner:

Now, make sure you go back out there and say you had this little chat with Ed Meese.

What about Los Angeles? I would just assume that you might have problems in getting people to be concerned about this. I mean, they tolerate so much out there.
Intinarelli:

We have a good working relationship with the U.S. Attorney's office there. Joyce Carlin, the assistant that I work with, is very aggressive. She will go out of her way, even working after hours, to put together a warrant if need be. And, so, we're getting great cooperation there. We have no problem.

A lot of the things that I run into are individual collectors versus large distributors in the area. And from that standpoint I think the courts, there again, look on a collector as someone who is not dangerous to the community. They don't see him as a potential danger, but just as a collector.

And the sentences that are coming out of the L.A. area on collectors primarily have to do with like five years probation with maybe psychiatric counselling.
A few weeks back, there was an individual sentenced who was adopting boys in Mexico and bringing them across for sexual purposes. He got eight years, with three years to serve, and psychiatric treatment.

A few days after that , I read in the newspaper where someone who had robbed a post office got 25 years.

This doesn't set too well with me personally, you know. That tells me that you can sexually molest a child in this country and get off light, but if you rob a post office or interfere with a government function you get 25 years.
Queen:

Doesn't that, in part, come back to the fact there is an imperfect understanding of the correlation between those who collect the stuff and those who actually molest children. And if they haven't yet molested, they are so far along in their psychiatric disintegration that you're probably looking at a would-be molester. It's uncommon to find someone who's been collecting for years who's never crossed the line and done it.

And the problem is that we don't have the data to prove it, although people know it instinctively. ***We somehow have to educate the judges and the prosecutors that what you're really looking at is a child molester. You just happened to catch him with photographs instead of a 10-year-old boy.***
Intinarelli:

That's the thing. I mean, they don't see the danger, basically. And they look at him simply as a collector.
Queen:

A lot of these guys, too, apparently will not only collect stuff, but they will

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go out and custom-order kids, custom-order pornography, and keep detailed photographs and diaries.

Like you say, when you search the place, you've found this guy's memory, you know, reduced to writing or photographs of what he's done to children or plans to do.

Commissioner:

Jack, do you want to give us some details of your Bangkok adventure? That might be of interest to some of these people. Maybe they don't know about it.

O'Malley:

Okay. It was a joint case with Ray Martinez in Detroit. Back in January of '85, I got information on a distributor operating out of Bangkok. We have a program of writing to the distributors and ordering materials from them to keep up on packaging techniques, and prices and whether the foreign mail is catching. Then we refer things to foreign mail to be on the lookout for them.

The distributor offered photo sets rather than any type of other product. And his downfall, his undoing, was he wrote long letters to his customers and left a nice paper trail.

Well, in essence, he sold both of us photo sets, 12 photos for $100. And then he sold 40 photos, for $300.

And all during the time, Ray coming on more aggressively as a pedophile, I coming on basically as a businessman, intimating that there was more to it, that I could broker his product commercially and domestically. He invited us to Bangkok to have sex with children at the many child whorehouses, as he called them, and said he would provide hash, and heroin or whatever.

And then he offered to sell us 600 negatives for $5,000 and we saw a correlation between the photographs he was selling and those appearing in Lolita 43 and 44, which are typically commercial products from Holland. So, he was providing European distributors at the same time.

So, we got approval of our various SAC's, who were very receptive to it, and they, in turn, approached Tom Winker, the attaché in Bangkok. And he bounced it off the Embassy and off the Thai authorities. And they were receptive to having us come over in an undercover capacity to make approaches to the subject on Thai soil, as well as bring our evidence that we'd accumulated to date to take him off.

Unforunately, it's not a real serious offense in Thailand. And they got interested because we asked them to get interested. I don't think if it wasn't for Tom and his assistant they would have jumped as well as they did.

So, the upshot was, in August, Ray and I, in an undercover capacity, traveled to Bangkok. And we met the subject, and he was quite nervous. But he agreed again to sell us the product, and he was subsequently arrested. And

The special problems of dealing with child pornography are discussed by Chicago Special Agent John O'Malley.

in search of his apartment we found all his mailing lists, which by European standards were not large, but his volume of business as far as dollars was quite high.

We also got the original letters from all his American and Canadian customers just handed to us, a very informa' chain of custody. And we brought those back with us.

Ray and I then distributed these evidentiary leads to the various SAC offices. And Gary's office in L.A., I think, executed the first two warrants based on the incriminating documents we picked up in Bangkok.

Intinarelli:

I might add the two people that we did the warrants on in Los Angeles both had prior convictions as child molesters. One of them was convicted of running a child prostitution ring.

Commissioner:

He was back on the street?

Intinarelli:

He was back on the street. I think he served maybe three or four years, something like that.

Commissioner:

What about the organized crime element in this? I didn't hear it myself, but Henry Hudson told me that Webster had said that the Bureau didn't see an organized crime factor involved in the child pornography activities.

But I told him I didn't think it mattered whether there was organized crime or not, it had to be eliminated.

But have you seen much of the organized crime involvement in this?

Warren:

I think the organized crime element gets in when you have the book stores and the adult movie places where you can turn the cash. They want to move their cash. And that's the best. You get clean money for dirty money, so to say. One of the cases in Philadelphia involved a book shop that has some organized crime connections, the money backing it. The people are not main members of organized crime, but they are friends of main members. So are three other stores in Philly.

Commissioner:

What about in the Southeast area? What's going on down there?

Borden:

Well, in Atlanta, we've got the benefit of being in the Bible Belt. So, we don't have any trouble. One shipment, you know, one magazine, and the U.S. Attorney will go with us. No problem.

The problem we've experienced is, if I take a nudist magazine, which we see, nude photographs of kids, and a lot of these are 18 months old and up, but it's like at a nudist camp—I guess you all have seen them. We seized them, and we write up the affidavit, and the warrant, and all, and then the U.S. Attorney says, well, it's not explicit enough, it has no contact, no sexual connotation.

Commissioner:

I thought that wasn't necessary under the Child Protection Act.

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Borden:

Well, that's the problem we're having. They don't want to go on just nude photographs of children.

Commissioner:

And that was a problem that we had in the Eastern District, too. An Assistant U.S. Attorney there, who was responsible for this, was making her own determination as to what the Child Protection Act included. And she was being liberal, and was basically deciding that the Child Protection Act hadn't really changed much, and that she was going to continue with her old guidelines and fit them into the Child Protection Act.

O'Malley:

It has to be sexually explict, though, Commissioner. That hasn't changed. I think they're hiding behind the nudist magazines, though.

But the way sexual explicitness is defined, I think it has to include, as a minimum, a lewd exhibition of genitals.

Borden:

That's the problem we had on this. The last one we had, our individual had gotten five or six previous importations, '83, before the law was changed, and nothing was done on it, Lolitas and all.

Commissioner:

What kind of improvements can we make in this program that could be directed from Headquarters? I mean, Dave has described this unit which would collect intelligence and statistics and materials. What other sorts of things could we do? Any suggestions there?

McGuire:

Would that include every seizure list from all the seizure ports of entry throughout the country?

Mays:

As of September 1st, as far as child porn specifically, every seizure is being put into the list.

Rosenblatt:

You know, you guys might want to stay over an extra day and get together with Ray and maybe design this program so that we don't have to go for funding, because I'd bring you guys back up, at least some of you, to design this system.

Forbes:

I think it would be very helpful overseas to target these guys. I have a list of the major providers of this crap.

So, what we need to do is plug these guys into active investigation so they don't get off free like some of your suspects have done in Philly.

Intinarelli:

One thing I'd like is to have the data base set up so it's a good cross-reference, where you can cross-reference addresses and things like that. Because in the Los Angeles area you have many, many mail drops, and a lot of them are operated by sexual deviants who advertise in various

Special Agent David Borden discusses the difficulties of getting convictions in pornography investigations.

newspapers for pedophiles and perverts to use their service. And the mail comes in to their facility, and they make sure that they get it.

And if we could target these individuals that are operating these mail drops, specifically for the receiving of pornography for various individuals, then we could close down the whole thing.

Queen:

Well, what you're talking about it seems to me is something that can be a place where data gets dumped, and then from which patterns can be developed and to which everybody can gain access, not unlike what you're doing with the financial investigations.

Intinarelli:

It seems you always get the same individuals appearing on all the mailing lists that are seized in various raids by Postal, F.B.I., or Customs. And if, when they seize a mailing list, they could send it to a central processing unit here at Headquarters, have all that information input into a system so that it can be accessed from the field, it would be very helpful.

Mays:

They are taking this information that's being funneled there now. There's three sorts on it—by name, by address and by zip code. And they are available now with everything that they want in there. We know that we'll be getting much more information.

Martinez:

Yeah. But that doesn't help us in the field.

Voice from the Floor:

It will help if you can create it by address.

Intinarelli:

One thing I've done in Los Angeles, with the assistance of the regional intelligence branch, is request from the Department of Justice in California a computer tape of all of the registered sex offenders who have been arrested.

Commissioner:

Do they license them in California?

Intinarelli:

No, they are registered.

It's not a bad idea. They are registered with the State. And any time they move from one community to another community they have 10 days with which to report to that jurisidiction's police department.

Now, I have a computer printout this high. There's about 6,000 names on that list of registered sex offenders who have been arrested for involvement with children under 18.

Commissioner:

And you can match those names against deliveries.

Intinarelli:

I've had it matched against our seizure list. And I've come out with quite a few possible matches on it.

So, if you have a mailing that comes in, you get the name, you can refer to the printout to see if they, first of all, are a registered sex offender. Right

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The New Internal Affairs

By William Green

The Office of Internal Affairs has made several significant changes during the past year. These changes were put into place so Customs could operate in a more effective and aggressive manner. The Customs Service has made many dynamic changes over the last few years which required Internal Affairs to keep up with the times.

The emphasis on enforcement covering illegal drugs, critical technology exports, fraud, and currency violations has caused an increased threat of corruption. Smugglers have become more bold in their slimy attempts to corrupt Customs officers by offering enormous sums of money in order to accomplish their illegal enterprises.

The first change that was implemented concerned rotation of special agents between the Offices of Enforcement and Internal Affairs. This was necessary for two basic reasons: more Office of Investigations expertise was needed for Internal Affairs investigators, who were becoming increasingly involved in the complex, technical aspects of the Customs enforcement priorities. At the same time, providing trained Internal Affairs investigators to the Office of Enforcement enhanced Customs' ability to ensure that proper internal controls are being followed in day-to-day operations.

In order to batter down some of the old-line thinking that special agents from Internal Affairs and Enforcement could not be interchanged, two factors were necessary to make the program a success. The first and most necessary reason which helped us overcome old-line thinking was the full support of the Commissioner and Deputy Commissioner. Secondly, Office of Enforcement personnel now receive

higher priority for promotion into enforcement management positions if their personnel records reflect Internal Affairs experience. It is interesting to note that of the agents who have rotated, all have done so enthusiastically and at no expense to the U.S. taxpayer. The return from this program is already being realized and will increase as time goes on. This, by the way, was not an original idea since most law enforcement agencies, Federal as well as local, require that their managers have internal affairs expertise at some time during their careers. Due to the success of rotation, we have also expanded it to the other two offices of Internal Affairs: the Office of Management Inspection and the Office of Internal Audit.

Change In Field Investigations

The second major change and one which had major operational impact on Internal Affairs was transferring the responsibility for conducting full field investigations to the Office of Enforcement. This freed up Internal Affairs special agents to concentrate on serious criminal misconduct allegations and has provided more opportunity to relatively newer special agents in the Office of Investigations to develop their investigative skills.

Full field investigations are still a major type of case and are reviewed closely by Internal Affairs personnel making employment suitability decisions and granting security clearances.

This change enabled our office to fully implement our third major change in using the special enforcement operations approach to proving or disproving allegations against U.S. Customs employees. Although these cannot be discussed in detail, I can say the full range of investigative techniques such as long-term covert operations is being utilized by our office. Thus far the best part of this approach has been an increased ability to either clear an employee of a criminal allegation or, when necessary, to place employees under arrest for violation of the law. For those who have always wondered, I might add that none of these operations, despite what you may hear, are done as a fishing operation. They are only conducted based on solid intelligence that a wrongdoing may be occurring. These operations have also produced a tremendous increase in the number of nonemployee arrests such as stated above, in which criminals attempt to bribe Customs officials.

Flying squads are another innovative technique we have recently been using. A flying squad is a team of senior investigators from both the Offices of Internal Affairs and Enforcement who can respond quickly to a given situation which is of concern to the Commissioner or Deputy Commissioner. Senior personnel are utilized in flying squads because the squads' particular mission is to conduct an appropriate

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The View From The Southern Border

By Hershel M. Dyer

Brownsville, Texas, where the international traffic includes trains, planes, and ships as well as autos, trucks and pedestrians.

Everything you are about to read is true. Most of the traveling public spends its time trying to find ways to outwit Customs inspectors, and most Customs inspectors lost their innocence when they accepted the assignment on the southern border.

This article is intended to show southern land border inspectors as they are—not just a group of people in a certain geographic location or a segment of a larger group with similar functions, but as individuals subject to the frailties, vagaries and achievements of human nature. It is meant to inform, to entertain and perhaps to amuse, and to show life and work on the southern border from the heart and through the eyes of the inspectors themselves.

Most of them are satisfied in their chosen profession, including its location. Many were born, reared and educated in or near the area in which they now live and work, and many enjoy social, economic, cultural and familial ties with people on both sides of the border. Probably few of them would change even if given their choice of assignments at an airport or seaport, or at another of the 25 ports and stations along the southern border.

A Thin Blue Line

Those 25 crossing points between the United States and Mexico cover some 2,000 miles, a thin blue line of Customs inspectors stretching from Brownsville at the tip of Texas on the Gulf of Mexico to San Ysidro in Southern California on the Pacific Ocean. Tour these ports and travel from the old-world balustrades of Brownsville to the gleaming spires of San Diego—from the dry subtropic air and lush vegetation of the Rio Grande Valley to the high thin air of El Paso, through the searing heat of southwestern deserts where the giant seguaro cactus sometimes attains heights of fifty feet in its lifespan of 200 years, and across the fabled Imperial Valley of California to San Ysidro and the cooling breezes of the Pacific Ocean.

From Brownsville to Progreso and on to Hidalgo follow U.S. 281, known locally as Old Military Highway, the same route patrolled by General Zachary Taylor and his troops during the war with Mexico. Under the terms of the Treaty of Guadalupe Hidalgo in 1848 the border between Texas and Mexico was moved southward to the Rio Grande River, known to the Mexican people as Rio Bravo, or Brave River. The treaty also made California, Arizona and New Mexico part of the United States. The borders with Arizona and New Mexico were fixed by treaty at the Gila River, and the Gadsden Purchase of 1853 extended them to their present limits.

At Los Ebanos watch the operation of the world's only hand-operated international ferry—no traffic backups at Los Ebanos because the ferry will only accommodate two cars on each trip. The modern aluminum vessel now plying the waters of the Rio Grande replaced a series of wooden vessels which, in their turn, were replacements for the original operation—a lone boatman moving passengers and cargo across the river in a vessel made by welding two automobile hoods together.

Continue to Rio Grande City and to Roma, an area rich in history and folklore. A new concrete structure spans the Rio Grande at Roma just upstream from the old suspension bridge which, although condemned, stands proudly as a monument to the skills of earlier engineers and bridge builders. Some of Roma's adobe walls still bear the scars of bullets fired by revolutionaries, renegades and rangers, and just a stone's-throw from the Customhouse is the church plaza where Marlon Brando, as the legendary bandit Emiliano Zapata in "Viva Zapata," fell and died under a withering hail of riflefire from the surrounding balconies and rooftops.

Where Latham Died

Continue the tour through District Headquarters in Laredo and on to Eagle Pass and Del Rio. Enroute to Del Rio spend a few moments of silence near the spot where Customs Inspector Richard Latham was murdered after being kidnapped from his post in Del Rio in January 1984, the thirty-third Customs officer to die in the line of duty since 1900. There can be no fault attached to the deaths of these fine officers.

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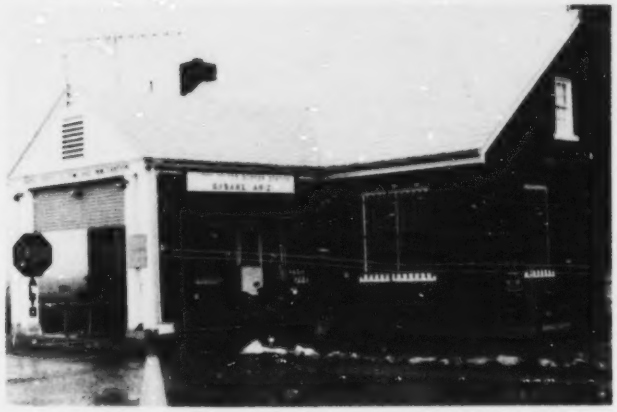
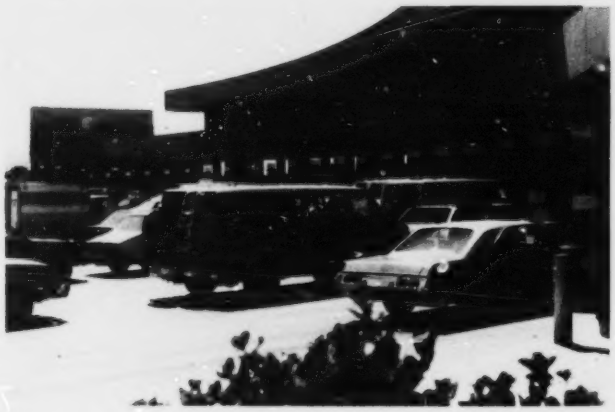


The Southwest border is an area of contrasts. Here is a land port office at Sasabe, Ariz., staffed by a Port Director and one Inspector.



As huge as Sasabe is small, here's the 24-lane San Ysidro, Calif., border crossing area. Cars seen here awaiting inspection before entering the United States.

Their contributions to the Customs Service extended to life itself.

Between Del Rio and Fabens lies miles and miles of nothing but miles and miles, except for the solitary port of Presidio. Enroute to Presido visit the Lily Langtry Saloon in Langtry, Texas, where Judge Roy Bean dispensed his personal and peculiar brand of frontier justice as "The Only Law West of the Pecos." Langtry takes its name from the saloon which was named in honor of the celebrated actress, a lady loved by the Judge from afar for many years. Miss Langtry eventually came to Texas to meet her admirer but the Judge could wait no longer—he died shortly before her visit.

From El Paso and District Headquarters to the California state line, ports and stations are suspended from the main highways by lengthy, lonely ribbons of state highways and each port represents a major detour from the main route. Each is worth the detour if time permits, because each is unique and each is an integral part of the Customs Service.

To Columbus, Douglas, Naco and on to Nogales—District Headquarters for Customs operations in Arizona—to Sasabe, to Lukeville and the Federal inspection facility designed by the architectural firm of Frank Lloyd Wright, to the twin ports of San Luis and Andrade (the port directors are twin brothers), and on to Calexico in the heart of California's Imperial Valley. On a recent December morn the writer stepped out on a motel balcony in El Centro for a breath of clear cool desert air. Memories of a childhood on the farm came rushing in, triggered by a strong breeze coming from the direction of El Centro's numerous cattle feed lots. Continue to the port of Tecate, just across from the Mexican city of Tecate from which Mexico's famous beer takes its name. End the tour at San Ysidro, the world's largest land border crossing point with 24 lanes of incoming vehicle traffic.

No article on Customs could possibly be complete without statistics and this is no exception. However, the statistics will be limited to certain completely unbiased minimums. Land border inspectors comprise about one-third of the inspectional force of 4,500, and that group of 1,500 is fairly evenly divided between the northern and Southern borders. Since only 30 million of the 287 million people who enter the United States each year come by air and sea, the remaining 257 million enter at land border ports. For those of a statistical bent, these figures mean that 33 percent of the workforce processes 90 percent of the passenger and pedestrian workload.

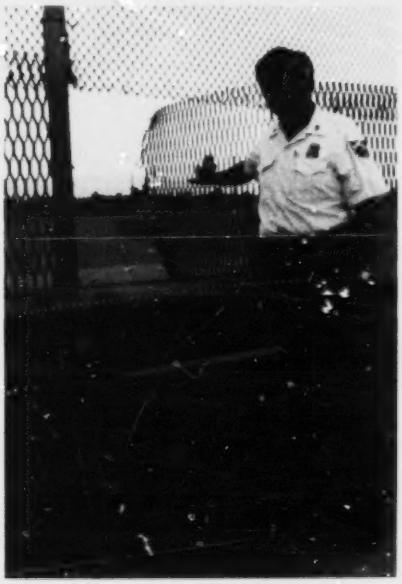
To work on the southern border is to bear witness to poverty, misery, despair and tragedy and it is impossible to remain untouched — or to become inured. Inspectors may mask their feelings with a veneer of cynicism, a facade of callousness or indifference but they understand — they feel, and they care.

Inspectors on the southern land border face many dangers and enemies not covered by their position description. In addition to smugglers, fugitives from justice and a representative cross-section of every criminal element known to law enforcement, they are faced with many situations which can only be dealt with as they occur and which are not covered in the Inspectors Manual.

When "Snowbirds" Come

Not all encounters are life-threatening, however.

With the first hint of snow in the north the annual migration of "snowbirds" begins. These winter visitors arrive at border cities singly and in pairs and sometimes in caravans a hundred strong. They will spend the winter foraging for food and drink and



Illegal gateway! El Paso District Supervisory Inspector Joe Ledesma shows what Customs calls a "family size" hole in the border fence between El Paso and Juarez.

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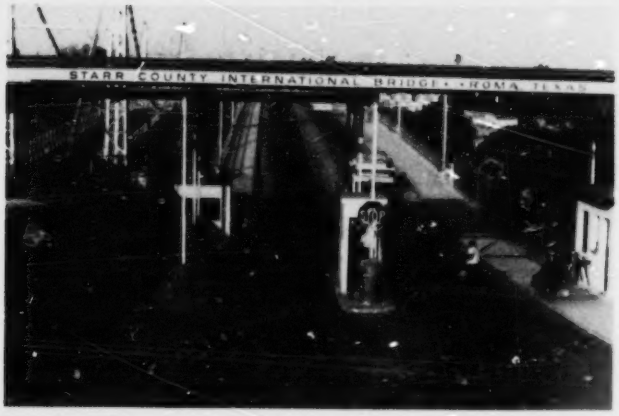
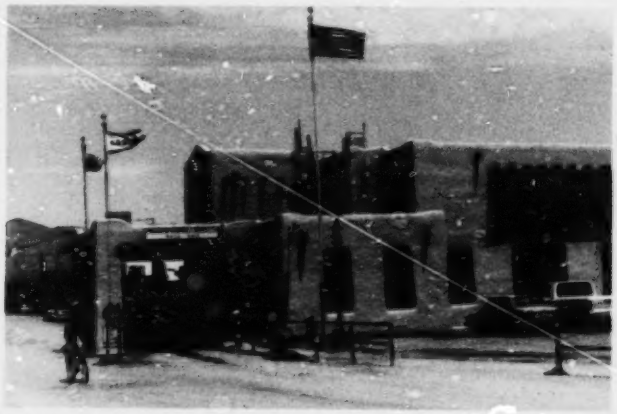


The old and the new side by side at Roma, Texas. On the left at this Customs border port of entry is an old suspension bridge. Its newer replacement can be seen to the right.



Probably the type of building one would expect to find on the Southwest border is this stucco Customs port of entry office. It's at Naco, Ariz.

as any land border inspector knows, their diet consists mainly of cookies, liquor, vanilla and garlic, all purchased in the markets of Mexican border cities.

Of various phenomena observed among the "snowbirds" these are among the most fascinating: Not one has ever been to Mexico before, and a highly disproportionate number of them are sibling twins—"Didn't you bring a bottle of liquor from Mexico yesterday?"—"Officer, you probably won't believe this but I have a twin, and I'll bet that's who was here yesterday!"

In some areas the winter visitors stretch local tourist facilities to the breaking point. In the Rio Grande Valley of South Texas they expand the normal population of 400,000 to more than three million. The annual ebb and flow of winter visitors is repeated in varying degrees at every crossing point on the Mexican border. To southern border inspectors these are the signs of changing seasons, as sure an indication as is the first snowfall or the first robin to their counterparts on the northern border.

Strong kidneys and a weak bladder were the downfall of an illegal alien one evening at Brownsville, Texas. An alert inspector noticed what he suspected to be a gasoline leak in a sedan whose occupants were in the Immigration office obtaining permits. Closer inspection showed another occupant, a smuggled alien concealed in a compartment behind the rear seat.

The size, numbers and feeding habits of southern mosquitoes, especially those of Texas, are legendary. They are undoubtedly known to all people all over the world and this article will not attempt to expand or dispel those legends—except perhaps to advance the theory that many, perhaps most, of the unauthorized discharges of weapons by southern border inspectors are directed against mosquitoes, and the action was the last resort of the inspector in defense of his life or that of another, as required by the firearms manual. When a mosquito is the target there are usually two distinct sounds (depending on accuracy)—the first is made by the weapon and the second is made when the mosquito hits the ground.

The Dangerous Enemy

An ever-present enemy and perhaps one of the most dangerous is boredom, ranging from the frustration of starting an eight-hour shift at San Ysidro, facing an endless sea of vehicles and finishing the shift without ever having seen a break in the line, to the utter boredom of waiting for a vehicle to enter at a small border port, particularly on the midnight-to-eight shift where hours may pass without a single vehicle to break the monotony of the night and help the inspector stay awake.

No southern border inspector will ever admit to having fallen asleep on such a shift, but almost every one of them will confess they have spent some time with their eyes closed, checking their eyelids for cracks. One inspector, whose name appears beneath the title of this article, opened his eyes after such an operation in the wee small hours to find an auto parked beside him at the primary inspection point, its engine turned off and its occupants waiting politely and patiently for the inspector to finish the inspection of his eyelids and begin his inspection of their entry into the United States. They were early morning commuters, travelling to work in the vegetable fields and citrus groves of the Rio Grande Valley.

Other insidious and deadly enemies of land border inspectors are familiarity and complacency. They see the same people day after day, many of them several times during the course of a single shift, and this familiarity must inevitably color their judgement and their treatment of the traveler. Such people may attempt to break the law because their estimate of the chances of being caught are based on the superficial and cursory treatment accorded by the inspectors.

Complacency has killed more law enforcement officers than any other habit or characteristic, and Customs inspectors are particularly vulnerable.

The Customs officer on the southern border or elsewhere, must continually be aware that in the usual crowd of migrant workers, affluent businessmen, bona fide tourists and little old ladies in tennis shoes may be, and probably is, one of the FBI's Ten Most Wanted fugitives. ■

Hershel M. (Mike) Dyer is a Program Officer in the Office of Inspection Control, Office of Inspectional Liaison at Headquarters. He spent 12 years as an Inspector and Supervisory Inspector on the Southwest Border.

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San Diego's Foreign Trade Subzone

By Edward T. Sherman

Aerial view of the NASSCO yard. The floating drydock can handle vessels of considerable tonnage.

On February 29, 1984, The Port of Long Beach, California, Grantee of Foreign Trade Zone No. 50, formally requested the Foreign Trade Zones Board, U.S. Dept. of Commerce, for approval to establish a Foreign Trade Subzone at the National Steel and Shipbuilding Company (NASSCO) facility in San Diego, California. Approval would initiate activation of the second Foreign Trade Zone (FTZ) shipyard in the United States, the first of which was General Dynamics, Quincy, Mass., activated in 1983. It would also represent a milestone for the San Diego Customs District in that no Foreign Trade Zones or Subzones existed or had been applied for in that District to date.

In accordance with CR Part 146 of the FTZ ground rules for the activation of such a site, a copy of the application and a covering letter requesting Customs' comments on the proposal was received by San Diego District Director, Allan J. Rappoport in early 1984. That letter also appointed Rappoport as a member of the examining committee as well as the resident representative of the FTZ Board. There followed several meetings at the NASSCO site between Rappoport, the Chief Inspector, San Diego I&C and an I&C administrative officer to review operating procedures, site security, and other matters pertinent to Customs' review and approval. Following these meetings, the District Director's recommendation of approval was forwarded

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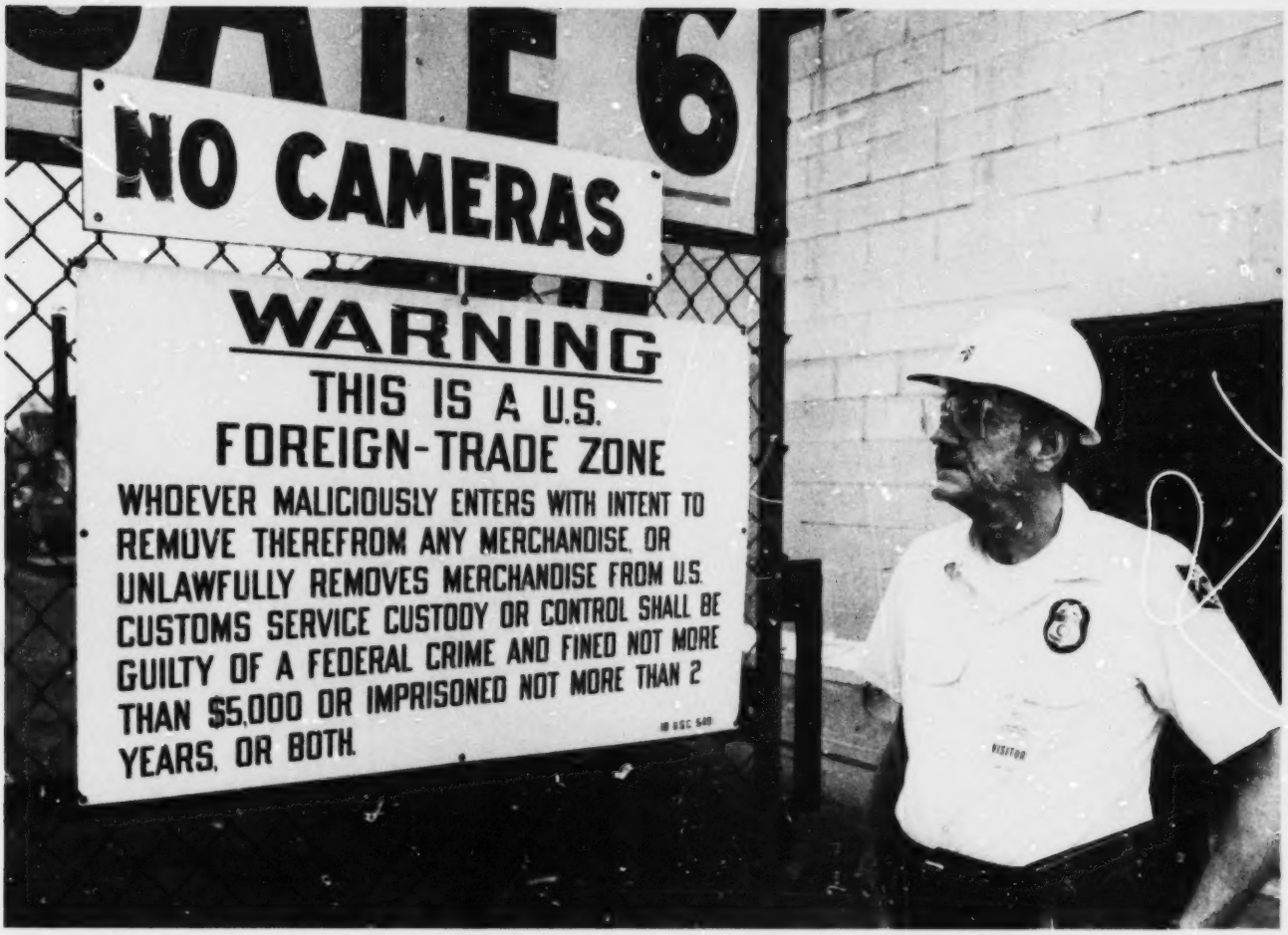
NO CAMERAS
WARNING
THIS IS A U.S.
FOREIGN-TRADE ZONE
WHOEVER MALICIOUSLY ENTERS WITH INTENT TO REMOVE THEREFROM ANY MERCHANDISE, OR UNLAWFULLY REMOVES MERCHANDISE FROM U.S. CUSTOMS SERVICE CUSTODY OR CONTROL SHALL BE GUILTY OF A FEDERAL CRIME AND FINED NOT MORE THAN $5,000 OR IMPRISONED NOT MORE THAN 2 YEARS, OR BOTH.

Signs similar to the one shown here are posted at all of the many entrances to the NASSCO shipyard.

to the FTZ Board on April 5, 1984.

Subsequent to Customs legal review and approval of the NASSCO Operating Procedures Manual, a Memorandum of Agreement was executed in August 1984, by the District Director and NASSCO management activating San Diego FTZ Subzone 50-B. Customs District 2501 now encompasses the second FTZ shipyard in this country along with the Boston District.

The National Steel and Shipbuilding Company (an operating subsidiary of the Morrison-Knudsen Corporation) is located well within the metropolitan area of San Diego City, adjacent to the Pacific Fleet U.S. Naval Station. The facility encompasses a land area of 72 acres, and a water area of approximately 2,350,000 square feet or 54 acres. The shipyard has extensive facilities for the construction of new commercial vessels, naval vessels and structures for offshore drilling installations, as well as for the conversion, overhaul and repair of large vessels.

Due to the magnitude of shipyard construction and the outsize structures entered into the subzone as FTZ merchandise, Customs has designated the facility as an FTZ subzone area. Within the yard itself, FTZ parts and structures are uniquely identified for Customs accountability purposes since they are, of necessity, moved from place to place during construction phases and ultimately become part of a vessel. To date, no significant problems have been encountered other than the usual start-up glitches. In view of the brief period NASSCO has been operating, their FTZ subzone potential has barely begun; it is anticipated future contracts will dramatically increase the volume of FTZ transactions. In the interim, both Customs and NASSCO are gaining invaluable experience in regulatory FTZ procedures.

The establishment of a Foreign Trade Subzone at NASSCO is a further example of the continuing efforts by civic leaders in the Long Beach and San Diego areas to retain and increase employment opportunities and investments in the Southern California area by encouraging international business activities. The San Diego District supports those efforts.

In the planning stage are a manufacturing FTZ for the metropolitan San Diego area and a manufacturing FTZ near Calexico, California. District Director Rappoport has offered the full support and cooperation of the Customs Service in encouraging the activation of these zones to improve the economic circumstances of the citizens of the San Diego District. ■

Edward T. Sherman is a miscellaneous documents examiner in the Inspection and Control Branch, San Diego District.

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"BRAVE" New World at I.A.H.

By Roger W. Rodgers

Getting scrutinized by a wary "APACHE" or clawed by an agitated "CAT" might seem like an experience right out of the old Wild West. Actually, we find no war-paint or injuries in the area—only importers experiencing a normal day with U.S. Customs at Houston Intercontinental Airport (I.A.H.).

At Houston Intercontinental "APACHES" and "CATS" combine to form the Customs cargo processing unit. The "APACHES" (a feisty acronym for Airport Accelerated Cargo Handling and Examination) examine cargo for release or drum up importer violations to be referred to "CAT" (the Cargo Analysis Team). "CAT" grins, stalks the prey, and pounces when seizures and penalties are appropriate.

A Red/Green Approach to Cargo

When I.A.H. implemented the Red/Green passenger processing system in 1982, it was also decided that a similar system would benefit cargo. Both Red/Green and "APACHE/CAT" enable Customs to concentrate simultaneously on facilitation and enforcement.

The Cargo Analysis Team ("CAT") decal.

"APACHES" proceed on the assumption that air freight is, by definition, freight which the importer wants *now*—rather than waiting for his proverbial ship to come in. When documentation and entries appear in good order, importers find their air-freight "investment" pays off quickly at I.A.H.

On average, "hot" shipments (such as perishable foodstuffs or flowers) are processed by the "APACHE" unit in less than fifteen minutes. "General Accept" entries—those which are reviewed by computer but given no physical exam—are released in less than an hour and a half. Even those entries requiring examination are routinely released within four hours—less time than Custer spent at the Little Big Horn.

This facilitation notwithstanding, cargo enforcement has improved dramatically. In "CAT's" first year of operation, combined cargo penalties and seizures jumped by 463 percent over the previous year. This was a staggering increase—especially to violators. Subsequent increases have proven that the inital success was no fluke.

The Role of the Senior Inspector

A key element of the "APACHE/CAT" operation is the leadership supplied by Senior Inspectors. The "APACHE" Seniors serve as "primary" profiling officers. All cargo entries are submitted initially to the APACHE Team. One Senior Inspector profiles "informal" entries. Another Senior Inspector profiles "formal" entries after they have been processed through Houston's ACCEPT computer terminal. At I.A.H. approximately 84% of the informal and 72% of the formal entries are released at this point without further handling.

Entries designated for exam by these Senior Inspectors are referred utilizing the most current enforcement criteria. This may include high-risk cargo subject to quota or visa restrictions, possible trademark or copyright violations, dubious invoices or marking problems. There always seems to be a particular fraud or deceit "in vogue".

"APACHES" serving as examining officers are the vital linkage between enforcement and facilitation. All possible merchandise releases are expedited. Those entries tomahawked for further analysis or investigation go directly to "CAT."

"Apache" Raiding Parties

While the "APACHE" unit stresses facilitation, cargo processing is supplemented with a periodic "cargo blitz". The blitz will be unannounced and thorough. All entries submitted during a blitz will be given an intensive

It would be a "brave" lawbreaker, indeed, to risk running afoul of Houston Customs APACHE (Airport Accelerated Cargo Handling & Examination) procedures. Here's a picture of the APACHE vehicle logo.

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examination. To handle this increased work load, Inspectors from other units are temporarily assigned to the "APACHE" war party.

When I.A.H. initiated these blitzes, the usual duration would be for one work day. This proved unworkable as the work quickly dried up by midday. Enlightened APACHES soon learned that when "impartial" brokers determined a blitz was in operation, they simply held back all entries until the blitz was completed.

To counter this, "APACHES" decided that entries should be processed much slower on the afternoon preceding the blitz. This guarantees an enforcement "backlog" to combine with the next mornings entries. The blitzes now involve (technically) only one-half day and are terminated around noon. However, the backlog insures that a suitable representation of entries will be available.

The most valuable long-term benefit of the cargo blitzes has been in broadening and supplementing our violator files and profiles. On average, each blitz generates six to ten solid referrals which assist in building penalty cases.

"CAT's" Territory: Cargo Analysis

"CAT" is an appropriate acronym for either the Cargo Analysis Team or the Carrier Audit Team. "CAT's" attitude, to be sure, is curious, inquisitive . . . even nosey. Like its feline counterpart, "CAT" is playfully independent yet distrustful and doesn't like surprises.

As the enforcement claw at I.A.H., the Cargo Analysis Team concentrates solely on cargo discrepancies. . . . Even here, however, facilitation is evident. Since 19 U.S.C. 1592 is now concerned primarily with the culpability of individuals rather than the seizure of merchandise, "CAT" often releases a shipment immediately and then proceeds with appropriate investigations.

"CAT" enjoyed a profitable year in 1984 making follow-up exams on freight not legally marked. Once importers certify that freight has been marked, "CAT" makes selective enforcement exams. Twelve false certifications were detected last year. The largest of these was a penalty against an importer of Seiko watches. The case went to Customs Headquarters, and there the penalty was mitigated to $121,187.00 (forty percent of the dutiable value). This was perfect catnip for "CAT"—as "CAT" purrs loudest when enforcement support comes from higher up.

Where "CAT" has proven successful in its enforcement efforts, that particular activity has invariably ceased. This was illustrated in automobile importations. In 1983, autos were regularly imported by air, directly from Europe. Concurrent with this influx was an increase in the number of false declarations concerning "personal use," ownership and EPA and DOT conformity. The most popular was for a "non-resident" to bring in a nonconforming auto for "personal use" and then sell it through a dealer. When "CAT's" resourcefulness and tenacity led to over a quarter of a million dollars in seizures of these vehicles, the imports stopped as suddenly as they had begun. One auto dealer was heard to say that dealers in the area all knew to stay clear of the Houston Airport. He went on to specifically name one Customs Officer (Senior Inspector Finley Soulé) who dealers knew to "absolutely avoid at all costs".

"CAT" is sometimes surprised at the number of *repeat* violations committed by the same importers. When a penalty or seizure is initiated, "CAT" makes the strongest possible argument to District Fines and Penalties that the violator knew better, didn't care, and did it anyway. Some importers seem intent on making this easy. One carpet importer for instance, has been penalized for both undervaluation of cargo *and* a false certification of legal marking. This brings to mind, of course, the old proverb: "There's more than one way for CAT to skin 'em."

Cargo Analysis Team inspectors Frank Hinojosa (left) and Clifford Schaffer examine a carpet seizure.

But CAT's favorite carpet caper involved a brother-to-brother transaction (the worst kind) of Iranian carpets. On these deals, "transaction value" becomes meaningless. What was originally entered as a $100,000-shipment of carpets was subsequently appraised at nearly one million dollars. (When the first appraiser saw the shipment he refused to get involved. He feared, he said, for his personal safety.) When the importer realized that "CAT" was seizing his shipment, he asked if possibly he could just go to jail instead. "It would make me feel better." As luck would have it, criminal prosecution is being considered by the U.S. Attorney.

CAT also maintains "files for future reference" on brokers and importers. These assist in detecting and documenting patterns and continuity in importer negligence or fraud. Single discrepancies, therefore, can be considered within an historical context which illuminates whether the violation is isolated, minor, obtuse, or perverse. Central and critical to "CAT's" penalty constructions is a smooth, harmonious working rapport with the District Fines and Penalties Office.

"CAT"-Scanning the Manifests

Traditional Customs cargo accounting involves a line-by-line posting of cargo manifests as cargo is authorized for delivery. The carrier audit concept introduces innovative cargo control procedures to replace this labor-intensive posting o manifests by Customs. These procedures are possible since carriers are required by law to maintain records demonstrating that all cargo delivered by them, from constructive Customs custody, was properly authorized for delivery through Customs release. This approach to cargo accountability entails a review of the carrier's records at their premises with a computer-generated audit sampling of manifest waybills.

Audit discrepancies often include: a difference in the total accountable air waybills between the carrier files and Customs records; warehouse check-in piece counts differing from tally sheet release documents; and shortage

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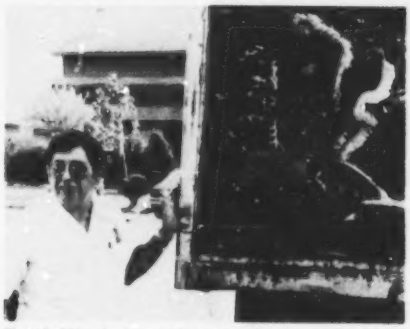

Frank Hinojsa examines a seized carpet. He's one of the Cargo Analysis Team ("CAT") Inspectors at Houston Intercontinental Airport.

declarations without supporting evidence.

On numerous occasions "CAT" has found that "supporting" evidence in the carrier's files is actually damaging to the carrier's case rather than supportive. "CAT" fondly remembers the day an inexperienced inspector noticed an air carrier filing a routine "shortage report." Why couldn't they, he wondered, deliver the freight to the consignee and then just file a shortage and claim the freight never arrived? Wishing to disabuse this youngster of his lack of faith in the system, "CAT" agreed (for training purposes) to check the carrier's files. The freight had been shipped to the consignee two weeks earlier. Other notes have been found in carrier files which relate no knowledge of what happened to the freight, but that amendments were being filed to the manifest simply to "get Customs paperwork right."

The Carrier Audit concept (along with General Accept and Red/Green passenger processing) has dispelled the urgency we felt in years past to examine all passengers and freight. These examinations proved frustrating and a waste of time. Selectivity produces certain risks of course, but at I.A.H. enforcement results are better than ever before. Additionally, manpower limitations absolutely dictate that we seek an agreeable balance between compliance and enforcement. "CAT" sometimes wonders aloud if an in-bond audit program might benefit from similar selectivity.

Keeping Current

The "APACHE's" method of cargo examinations is enhanced by a continual flow of information to all examining officers. This is accomplished with a fifteen-minute morning briefing attended by all personnel. Supervisory Inspector Romeo begins each day discussing procedural changes or intelligence updates. The "CAT" Team may also contribute current enforcement information.

An additional attempt by "CAT" to keep officers informed is a monthly newsletter called "CAT TRACKS." "CAT TRACKS" deals with serious enforcement topics but in a decidely informal and chatty fashion. Shotgun entries may be "CAT"-egorized as "shot through" with errors or carpet deals may be upbraided for their "rugged" reputations. However, "CAT TRACKS" is most gleeful when an importer is caught in a "CAT"- astrophic subterfuge.

CAT's ethic is to work hard, but have fun doing it. When I.A.H. was suddenly flooded with shipments of empty Rolex watch boxes (where were those Rolex watches?!), CAT chose to publicize the issue with a "Watch the Box" contest. Inspectors were challenged to guess the correct number of empty Rolex watch boxes which had been intercepted at I.A.H. in the preceding few months. The winner received a can of tuna fish—"CAT's" highest award! While dramatizing its enforcement point, "CAT" also playfully disqualified the supervisor who actually submitted the closest guess. "CAT" claimed supervisors were too rich to appreciate life's most ordinary rewards.

When importers were asked why they were importing empty Rolex watch boxes, "CAT" got some terrific answers. The best came from a man who claimed he used them "as planter boxes for flower arrangements." "CAT" loves a good story.

Working together

It is sad, but nevertheless a fact, that internal jealousies often disrupt a working unit. Statistics are crucial in justifying job efforts so that the few budget dollars available can be claimed or protected. Since each unit needs its own "stats", friction can easily develop where there is an opportunity to "take credit".

The cargo operation at I.A.H. has avoided this with a clear understanding of each unit's responsibilities. "CAT" works *only* on *referrals*. So if "CAT" is grinning about a million dollar carpet seizure everyone knows that "APACHE" braves made it possible.

Back in the Old West, the treaties made between the white men and the Indians were for terms "as long as the grass grows and the wind blows and the sky is blue". "CAT" has made a similar pact with the "APACHES" at I.A.H. CAT will take referrals for

as long as the grass grows
and the wind blows
and everyone knows
that the sky's the limit. ■

Roger W. Rodgers is a Supervisory Inspector at Houston Intercontinental Airport

Two seized luxury cars pose with Houston Intercontinental Airport Cargo Analysis Team Inspectors Paul Jones, (left) and Finley M. Soulé.

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Sea Rescue

By R.F. Mackness

Editor's note: The following story was supplied to Customs by Mr. R.F. Mackness, who edits an employee publication for Lockeed employees in California. It tells how Customs employees stationed at the New Orleans Air Operations Branch helped the Coast Guard rescue crewmen from a sinking ship earlier this year. Thanks to the efforts of Supervisory Air Officer John Thompson at the New Orleans Air Operations Branch—who forwarded the story to Customs Today—the heroic efforts of several Customs flight crew members can be told.

The Customs crew members on this flight that helped bring in Coast Guard helicopters to save lives were: Pilots Stanley Adams and Guy Frederickson, Flight Engineers Elliott Knipple and Richard Benbough, and Detection Systems Specialists Eldon Kern and Howard West. The rescue took place during Customs' surveillance "Operation Sierna" held off the coast of Puerto Rico.

Flying out of Roosevelt Roads Naval Base in Puerto Rico, blacked out and maintaining radio silence, a U.S. Customs Service P-3 airplane was six hours into one of its special smuggler interdiction missions, roughly 200 miles south of the coast of Puerto Rico.

The sea had been empty on this late February evening; but suddenly a crewman said, "Boy! Look at that party boat down there!"

Viewed from 12,000 feet up, it was a brilliant splotch of light, clearly visible against the black sea, maybe too brilliant for the wildest of celebrations.

The plane's infrared dectector system confirmed that all was not well below. Above the image of the cheerful glow, a great white column reached up into the sky—hot gases rising above the light source, too dense and hot to have been created by any conceivable number of electric light bulbs.

The Customs pilot put the P-3 into a steep descent for a better look, ordering the navigation lights to be turned on and the detector system to stay trained on the target.

It was no party boat. It was a fair-size ship, ablaze, not with festive lamps, but with huge flames. The fire was so hot that, with the aid of their detector system, the Customs men could see chunks of superstructure, white-hot and melting, break away and drop into the water.

A Customs P-3A Lockheed Orion aircraft flies a surveillance mission. One of these long-range Customs planes helped the Coast Guard rescue crewmen from a burning freighter off the Puerto Rico coast earlier this year, as the accompanying story describes.

They could also see what appeared to be two rafts, at least one of which had people aboard, perhaps a dozen of them.

Breaking radio silence and using a frequency reserved for Federal law enforcement agencies, they contacted a communications center on the mainland of the United States and were put through promptly, to the Coast Guard in Puerto Rico, setting up a communications loop thousands of miles long to a site only a couple of hundred miles away.

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"Exploring Customs"

By Jim Shackett

On the Southern border a Customs Explorer helps search the trunk of a car during Operation Camarena. In New York's JFK Airport a Customs Explorer helps to see that no passengers get by without turning in a baggage declaration. In Miami, Customs Explorers help to unload a 2,500-pound marijuana seizure from a private boat.

These are just some of the ways Explorers have helped Customs officers over the past year—a year marked by growth and recognition.

The U.S. Customs Explorer program is just over a year old, but Customs Explorers are already making their mark. Already there are more than 400 Customs Explorers who are active members of some 20 U.S. Customs Explorer Posts throughout the United States. These posts are supported by more than 78 exceptional Customs employees who serve as adult advisors.

Through the Law Enforcement Explorer program, young adults, ages 14 to 21, are given an opportunity to "explore" careers and potential employment opportunities with Customs, and at the same time, provide meaningful service to Customs.

Senior Special Agent Don Grattan, Advisor for Post 4701 in New York, said, "The Explorer Program is a great opportunity for young adults to gain first-hand knowledge and experience." He added, "Uniformed Explorers directly assist Customs officers in the performance of their duties and learn how Federal law enforcement services operate through hands-on experience."

In addition to daily administrative functions, Customs Explorers perform numerous tasks in support of the Customs mission. Recently, Explorers in Miami assisted with a pilot project related to the new small boat reporting program. The Post's Advisor, CPO Greg Rogers, stated, "The attitude and performance of the Explorers was excellent. They are certainly a tremendous asset to the Service."

U.S. Customs Explorers from Post 99 in Miami, Florida, hoist a Customs patrol boat out of the water so they can give it a thorough cleaning.

Robert Gutierrez, a Customs Explorer with Post 24 in El Paso, Texas, reviews files in the Southwest Region where he was hired as a summer aide.

Tracy A. Rhimes, a Customs Explorer with Post 4709 at JFK International Airport, collects baggage declarations from arriving passengers.

A report on the special operation urged that Explorers be included in future programs of this nature.

Inspector Vicky Guevara in El Paso said, "The Explorers are terrific. They learn and become involved with Customs and benefit from Customs youth programs in the process. We currently have five Explorers applying for the Customs Service Youth Program, their goal is to get into the co-op program. The Explorers are excited about the program. We must be doing something right, because they keep coming back."

CPO Henry McClary, Jr., Advisor of Post 1911 in Houston, said, "Our Explorers enjoy the program. They actively participate in the program and are very interested in pursuing careers with Customs. I guess the hands-on experience stimulates their interest; they feel they're doing something important, and we certainly agree."

Explorers To Combat Drug Smuggling

As a result of their successful participation in Customs activities, Commissioner von Raab has directed that Explorers be used to assist with a new initiative against drug smuggling in the

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WORTH REPEATING

U.S. CUSTOMS THROWS FINE WELCOMING PARTY

Reprinted from the San Jose (Calif.) Mercury News

You can tell a lot about a country you're entering by the way the customs people treat you.

If they act sinister and paranoiac and ask where you spent last Thursday, you can figure things are a little stiff in these parts. If they're not messing up the carefully packed unmentionables in your luggage, you can assume things will probably be fairly blissful.

On a long trip, or just a trip involving a lot of countries, you play little games with the world, making book on what sort of hassles customs is going to give you this time.

Horrible in Tunis. A snap in Greece. Tight as a tick in Italy. Maddeningly delayed in England. You never know. Sometimes they're rude, sometimes they're nice. Sometimes they don't even watch as you walk through.

So here you are, coming home after a long trip, and now you have to face your own guys, good old U.S. Customs. And the last things you want are problems. Lemme through, guys, there's a bed someplace with my name on it, and if I never see another airport, it'll be too soon.

It's 10 o'clock at night, and the lable on your Levi's is dragging the floor. Man, after 14 hours on a plane flying from Hong Kong to San Francisco, your spine is like week-old broccoli and your mouth feels like a Joshua tree's growing in there.

A case of airline mentality. It is such a relief to get off the damned plane you forget you're home and you're so flaked out by time differences and fatigue that it takes a good 10 minutes to figure out that the natives wandering around in uniforms and custodian clothes are speaking American.

It takes an eternity for the luggage carrousel to start turning, and your stuff is never, ever first. It's a 747, of course, meaning that 87 million tons of luggage are being unloaded. Finally it gets there, you heave it on a cart. And head for customs.

"So," he says, "where have you been? Nice trip? Nothing to declare? Fine, take this card, hand it to the man at the door and have a nice night."

Thirty seconds flat. No longer an alien, no longer an outcast. They let me back in Ma, and I feel like I just passed my citizenship test.

There is probably a federal law against kissing members of the U.S. Customs Service. Which is too bad, because if I'd had the strength, I would have grabbed his portly old bod and bussed him a bunch.

Customs agents are symbols, you see. They are usually the first Americans most people see when they come to this country, and they represent all the good things about the States. You know, fair play, efficiency, due process, hamburgers, the First Amendment, writs of habeas corpus, all that stuff.

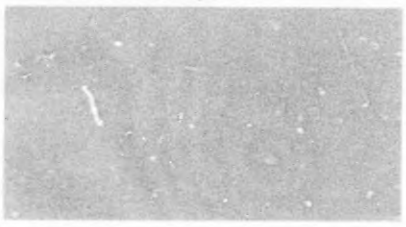
I have never seen anything that would cause me to be ashamed of them, which is more than I can say for a lot of other airport personnel (such as the shuttle-bus drivers at JFK in New York. The way they treat foreigners—and Americans—they should be shot.)

And I don't know whether our customs people are more thorough or suspicious with foreign nationals than they are with Americans, but I've never been hassled or treated with disrespect, and I've never seen a customs agent be really rude to anybody, American or foreign. I've seen 'em in action all over: D.C., New York, L.A., even San Antonio, and they're a good outfit.

As a welcoming party for tired, American tourists coming home, they'll do just fine.

And so, two and a half months after we lifted off from SFO, we land again. I'd like to be euphoric, but I'm too tired to manage more than a gentle sigh. Lead me to a bed, Mommie Dearest, and I'll sort all this out and get back to you.

Next week, a report on a trip around the world in 79 days.



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196 Going on 200 . . .

How the West Was Won—or The Winning of Pembina

By Michael N. Ingrisano, Jr.

Back in the 1850's when the territory of Dakota was hardly more than a wasteland, "Colonel" Enos Stutsman founded the town of Pembina. He emigrated from Connecticut and located in the upper Red River Valley. He filed for and was granted 320 acres of land on which Pembina, N.D., now stands.

Stutsman was a strange person. He had the body and head of a giant but his legs were barely a foot long, and he was unable to travel without the aid of two short and powerful crutches. Nevertheless, he was able to mount and ride his own pony. He was said to be a shrewd and calculating person who soon became a leader among the emigrants to the area. In the 1870's he became the Registrar of U.S. Lands, and in 1867 *Official Register of U.S.*, he is listed as a Special Agent for the Treasury Department employed in Pembina, Dakota Territory.

Stutsman was also an avid poker player. At least he thought he was until he met up with Jud LaMoure. LaMoure was also a pioneer in the area, owning a line of stagecoaches running between Pembina and Grand Forks.

Judson LaMoure, Sr., came to the Dakota Territory via Freilighsburgh, Quebec, Canada, Davenport, Iowa, and then from the gold rush in Colorado in the 1860's. He eventually became Deputy Collector of Customs at Neches, N.D., but he was also U.S. marshal, and a member of the North Dakota Legislature for over 30 years. His son, Judson, Jr., was Collector of Customs at Pembina 1907-1916 and 1921-1933. He then went to Duluth as Assistant Collector.

But back to the story. Jud Sr. was also quite a poker player. And the game for the winning of Pembina took place in 1862 in the Levee Hotel in Yankton. The game lasted from ten o'clock on Friday morning until three o'clock on Sunday morning.

The legislature was in session at the time, and since Stutsman, who was chairman of the council, refused to leave the game, that branch of the legislature adjourned until the following Monday so the members could watch the poker game to its finish.

Stutsman's luck held up for the early part of the session. But past midnight on Saturday, he threw two $50 bills on the pile of chips in the center of the table and called a $100 bet on LaMoure. Stutsman held a full house, kings and queens. When LaMoure threw down his hand, he held four deuces.

Stutsman then said: "Jud, I tell you what I'll do. You've won $3,800 of my money. If you'll put up $3,800 with it, I'll stake the townsite of Pembina against you, and will play for it in a lump to win or lose in one deal."

The men shook hands. According to agreement, the hand was dealt by E.A. Williams of Bismarck, the speaker of the house of represenatives. The cards were to be thrown on the table face up. When five cards were dealt, each man was to discard and draw. The draw, as before, was to be dealt face up. The highest hand was to take the pot.

To prevent trickery, the dealer squatted, legs under him, in the center of the table, in the full glare of the oil lamp which was suspended from the ceiling. The friends of both men crowded around the table, and Williams was threatened if he, in any manner, should manipulate the cards so as to give either man an advantage.

Williams shuffled the cards and, squaring them, slipped one from the top of the deck and laid it under Jud's nose. It was a deuce. Stutsman got the Queen of Spades. Jud got another deuce. Stutsman, the Jack of Spades. On the next card, Jud pulled the Queen of Clubs; Stutsman, the Ace of Spades, giving him the possibility of a flush against a pair of deuces for Jud. But Stutsman's next card was a heart; and Jud added nothing to his pair.

Judson drew three cards, but still ended up with just a pair of deuces, having gotten the Queen of Clubs, the Jack of Diamonds, and the ten of Clubs. Stutsman, despite the pleas from his friends, drew one card for the flush in Spades. It was the EIGHT OF CLUBS.

Jud LaMoure had won. They shook hands, and Stutsman deeded the 320 acres of land over to Jud.

Stutsman died in 1880. He was buried in a lonely cemetery on a hillside half a mile north of Pembina. The only monument to his memory is the County of Stutsman.

The railroad eventually came to Pembina, and LaMoure sold some of the land and held on to some. The two deuces by 1911 were worth hundreds of thousands of dollars. He also had a county in North Dakota named after him.

(The original story was printed in the New York World, date unknown. The clipping of this story was loaned to the Edinburg (N.D.) Tribune by L. B. Follins of Crystal, N.D. The Tribune copy was published on Friday, July 7, 1911. The material was supplied to the Customs Service by the North Dakota Historical Society for our Biographical Directory. This author has quoted liberally from the original New York World story.)

Michael N. Ingrisano, Jr. is a Public Information Specialist at Headquarters.

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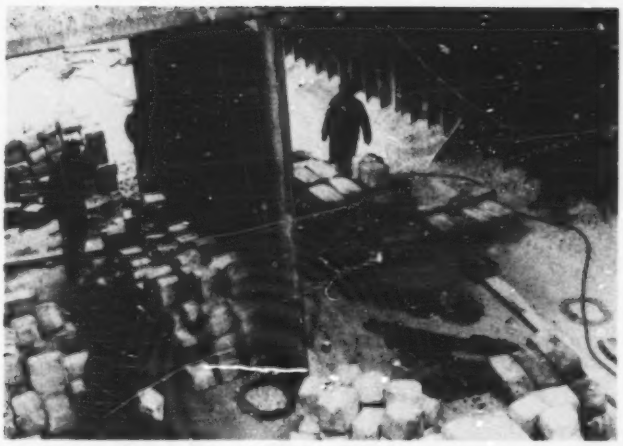
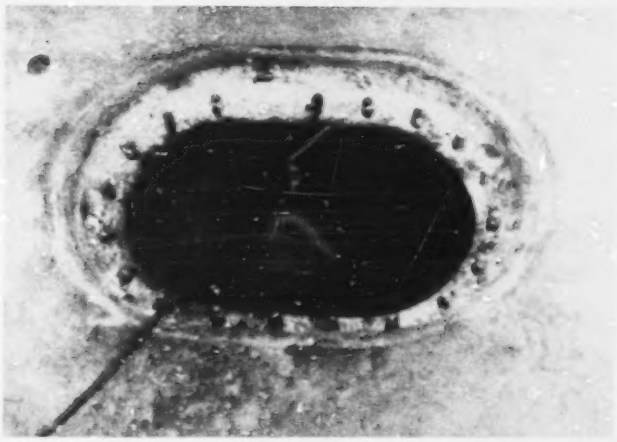
Boston Seizure

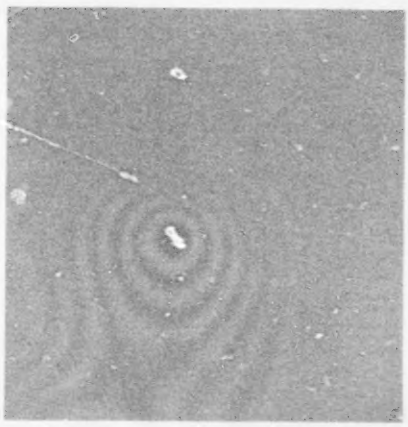


Customs officers and shipyard workers stack the hundreds of bales. Total value of the drugs was estimated at about $29 million.

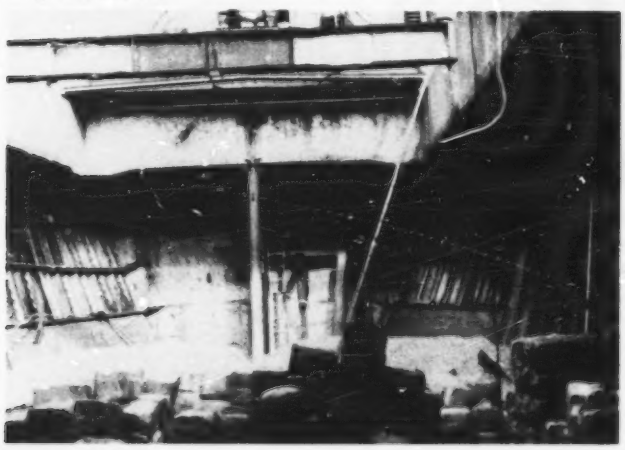


A huge marijuana seizure was made in Boston Harbor when a Customs detector dog sniffed out the contraband on the British freighter Rainsland. Six crew members were arrested, and Customs personnel investigating the vessel after the dog alerted to the scene of marijuana, found 36 tons of the drug buried beneath tons of legitimate cargo—gravel, concrete and steel. Here you see one of the manholes leading to where the drugs were hidden. The manhole cover was sealed shut and buried beneath tons of crushed stone.

Looking into the forward hold on the 213-foot-long vessel, you see marijuana, before it was offloaded and seized. It had been wrapped in plastic cloth to keep air and water out. Customs became alert to the vessel after it began following an erratic course in the harbor and its captain failed to disclose a destination. After Customs and Coast Guard personnel boarded the ship and began to search for drugs, they found them—thanks to detector dog "Humphrey" and his sharp nose. It took the better part of a weekend to get the cargo offloaded!



After digging through legal cargo, Customs officers found piles of marijuana in the hold.



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The More Things Change...

TREASURY DEPARTMENT
BUREAU OF CUSTOMS
WASHINGTON
OFFICE OF THE COMMISSIONER

ADDRESS REPLY TO
COMMISSIONER OF CUSTOMS

October 9, 1936

CONFIDENTIAL

BUREAU OF CUSTOMS
CIRCULAR NO. 1629,

TO COLLECTORS OF CUSTOMS,
SUPERVISING CUSTOMS
AGENTS, AND OTHER
CONCERNED:

In the opinion of the Bureau, the smuggling of narcotic drugs has become a more important customs enforcement problem than the smuggling of alcoholic liquors.

Your attention is called to the frequent seizures of narcotics from vessels of both American and foreign registry, which have arrived direct from Oriental ports or have touched such ports on their itineraries.

Smoking opium (in brass cans approximately in size and appearance the ordinary smoking tobacco tin) and refined drugs such as heroin, morphine, and cocaine, have frequently been found concealed on such vessels, concealed in manifested cargo (especially in packages of Chinese merchandise), and concealed on the persons of members of the crews. Refined drugs have been found in silk belts or vests containing pockets approximately four inches by eight inches in size and one-half inch in thickness, fastened around the bodies and suspended by shoulder straps underneath the clothing of crew members. Other silk containers approximately twelve inches in length and one inch in diameter, shaped like large finger stalls, have been found filled with refined drugs and floating in the water in close proximity to vessels which have touched Oriental ports, or actually concealed thereon.

All officers engaged on inspectional and enforcement duties should exercise the utmost diligence in their searches of, and supervision over, vessels which have touched at Oriental ports, for the purpose of locating and seizing narcotic drugs imported therein and arresting the offenders. This search in appropriate cases, and supervision in all possible cases, should extend to all vessels which have touched Oriental ports and have arrived at your ports coastwise from other United States ports.

Your attention is also called to the fact that, based upon seizures made and definite information received, it is evident watch movements, jewelry, and narcotics are being placed on American bound vessels at Antwerp, Belgium, and that narcotics (particularly crude opium) are being placed upon American bound vessels at French and eastern Mediterranean ports. All officers engaged on inspectional and enforcement duties should also, therefore, exercise the utmost diligence in their searches of, supervision over, vessels arriving direct from such ports or via other United States ports. It can be stated that seizures of watch movements have been made from members of the crews of vessels touching Antwerp, the watch movements having been found carefully packed in canvas or wool vests worn next to the body and suspended by shoulder straps.

Seizures of narcotics and watch movements found concealed in false compartments in trunks and hand baggage are becoming increasingly frequent. In most cases the false compartments have been found in wardrobe trunks, and consisted of a space about one inch in thickness faced with a veneer panel the full length of the trunk built in behind the drawers or clothes compartment, covered with lining identical with the lining of the rest of the interior of the trunk. These false compartments have been constructed so painstakingly that detection thereof was impossible except by careful measurement. Trunks found to be of any unusual construction, or to have any unusual interior shape, or to show that the drawers have been sawed off and shortened should be the objects of immediate suspicion and should not be passed until the officer is satisfied no false compartment exists therein.

The necessity for scrupulously careful examination of trunks and hand baggage for false compartments is just as great at border ports as at sea ports. Officers at border ports should give particular attention to trunks and hand baggage of passengers who have visited Oriental ports, or ports in Belgium, France, or eastern Mediterranean countries, and are returning to the United States through Canada or Mexico.

Openers and packers, examiners of merchandise, and entry clerks designating examination packages, should be impressed with the necessity for exercise of unusual care in the treatment and examination of importations particularly from Oriental countries and from Belgium, France, and eastern Mediterranean countries, whether such importations arrive direct from such countries or via some other United States port in bond, in order to preclude any possibility of introduction of narcotics in manifested cargo. Special attention should be given shipments manifested to new or unknown consignees or to persons or firms who have heretofore been under suspicion.

You are instructed to bring the contents of this letter to the attention of all employees serving under your direction, and to take such further steps as will insure that all personnel of the Customs Service understand that the smuggling of narcotics has superseded the smuggling of alcoholic liquors as a major customs enforcement problem and that the Bureau expects vigorous and aggressive action on their part in the effort to eradicate narcotic smuggling.

James H. Moyle
Commissioner of Customs,

Border Beast Bust— (Or It's A Real Jungle Out There)

By Cheryl Quinlan and Larry Hoyle

Editor's note: The following story was supplied to *Customs Today* by Nogales District employees Cheryl Quinlan and Larry Hoyle.

Author Quinlan, an Operational Enforcement Analyst there, was assisted in the preparation of this less-than-routine tale by Hoyle, an Inspector and the district Operation Exodus coordinator.

Let me tell you a little story. This one is about an Inspector named Larry Hoyle and what he'd like us to believe happened while he was on his way to work in Nogales, Arizona.

Picture if you will desert—scrub brush and mesquite trees sparsely dotting the landscape, mountains in the distance, clear blue sky, and wide open spaces. There he was on just such a day in just such a place, driving down the highway with the wind gently blowing through the window, lost in his dreams. Then he noticed a truck with Mexican license tags in front of him. Now we don't get many vehicles on the roads out here, especially at that time of the morning, but this one really caught Larry's interest. Not the vehicle actually but the camel peering back at him from the rear of the truck.

Well friends, being in the desert region, we've seen some pretty strange things, but a camel—on a Thursday—in broad daylight?

Larry blinked a few times and muttered to himself if he really saw what he thought he saw. Naw, can't be. But lo and behold, there was a second truck pulling a trailer. This one contained a second camel, a zebra and various other exotic animals, none the likes of which have been seen around these parts. EVER! Our Inspector Hoyle was on the ball though and totally undaunted by all the weird creatures. He was going to find out what was going on. The computers could wait. Those chips were being replaced by camel's.

The trucks proceeded south, passing the turnoff for the Customs and Department of Agriculture APHIS inspection areas and were then stopped by Hoyle. "Where ya going", inquired Inspector Hoyle in his best customese. "To Hermosillo to the zoo," replied the driver. "Can I see your export documents and health certificates?" asked Larry. (This is where the story gets really strange, folks.) The man in charge of this unusual parade stated "the man that usually brings the animals from Arkansas is in Los Angeles with a broken neck. His replacement took off with all the medical papers after one of the wallabies escaped during reloading in Tucson."

Clobbered By Kangaroo!!

The driver being questioned had a bad welt on his face where he said he was caught by a severe right hook from the wallaby, which was last seen jogging north on a main road in Tuscon. As of this writing there is a wallaby alert in Tuscon and surrounding areas (and according to TECS responses, as far north as J.F.K. Airport.) The poor driver and entourage were beset with problems, it seems, because the 2,000-pound camel was not too keen on getting into another truck. The camel hooked its hind legs under the truck and it took seven men six hours to get him loaded.

The local veteranarian was called to check the beasts. After Hoyle explained the situation, the good doctor exclaimed in disbelief "you want me to check what?" and asked if Larry was feeling O.K.

Well, to make a long story short, the animals, two camels, a zebra, five wallabies, and 6 springboks, were seized and turned over to APHIS. At least that what they say happened down in these parts. Course there are no pictures and only a few people were involved. But then again . . . ■

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CUSTOMS CAMEOS

Charlie Battiste Navy Instructor

Charlie Battiste is known to New Orleans Customs employees as the Acting Seizure Custodian for that District. He is often seen "on-the-go" from Customhouse to warehouse with stops at seizure rooms and vaults in-between. Charlie enjoys this assignment, calling it one of great interest and excitement. Since entering the Service as a Customs Aid in September, 1983, Charlie has introduced Customs employees to the merits of another important project in his life: The Navy Sea Cadet Corps.

In his off-duty hours from Customs, Personnelman Second Class Battiste is in the Naval Reserve (Ready) assigned to Naval Reserve Cargo Handling Battalion Regimental Staff 110 which is attached to U.S. Naval and Marine Corps Readiness Center in New Orleans. In this capacity, he acts as an instructor to officers and enlisted Naval Reserve members in such subjects as Field Radio Operations and Reserve Field Reporting Systems.

Battiste's dedication to the Navy is evidenced clearly by his active participation in the U.S. Naval Sea Cadet Corps. He meets weekly with boys and girls (ages 14 to 17) in the Sea Cadet Corps program at the Naval Reserve Readiness Center in his position as New Orleans Division Training Officer. The objective is recruiting youths into the military service, developing their interest and leadership capacities for future service with the Navy. Service credit is provided for training time.

Charlie Battiste believes in the value of this program—and he makes it work. Recently the New Orleans Division Sea Cadets received high compliments and praise for their performance during a weekend drill conducted at Pensacola, Florida, Naval Air Station under the supervision of PN2 Battiste and other program leaders.

Congratulations to Charlie for his work in molding the military leaders of tomorrow. ■

By Marcella Badie, Former Public Affairs Officer, South Central Region

Exploring Customs
Continued From Page 26

Miami and New Orleans Regions. The program is designed to report drug smuggling by small boats; however, remote and general aviation airports in the state of Louisiana will be included in the program.

Local Law Enforcement Explorers will be used exclusively to distribute smuggling awareness posters and literature within the marine and general aviation communities. In support of the Regional Intelligence Command Center, Miami Post Explorers will respond to telephone calls from anonymous callers reporting suspect drug smuggling activities. They will answer telephones, receive and document information, then pass it on to the Command Center watch officer. The program is designed to establish a successful smuggling awareness effort and to provide local citizens an easy method and opportunity to give information relating to drug smuggling activities and remain anonymous, and receive a cash reward in the process.

Inspector Elroy Panoke, Honolulu Post advisor, said, "As time progresses and we become better organized, we feel that our Explorers will play a vital part in assisting Customs in many enforcement and administrative functions. But for me and other advisors, the bottom line is 'self-satisfaction'."

Next year Customs Explorers will converge on the campus of the University of Washington in Seattle for the 1986 Law Enforcement Explorer Conference. These fine young men and women will be a proud representation of the Customs Service as they compete with other Law Enforcement Explorer Posts from all over the country. They deserve our total support. ■

Jim Shackett is a Law Enforcement Liaison officer in the Office of Congressional & Public Affairs at Headquarters.

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Customs Employees Donate Blood To American Red Cross

By Tracy Garell

In the past, U.S. Customs Service employees at Headquarters in Washington, D.C., and in Regional and District offices across the country have done their share in contributing life-saving blood to the American Red Cross. Headquarters holds quarterly blood donor drives which have reached as high as 98 percent of their goal.

A safe and adequate blood supply is one of our most vital community resources and in most cases if you are feeling healthy, you are the right type to help support your community's well-being by being a volunteer blood donor. At American Red Cross, safety comes first and we must take every precaution to make sure that it is safe for you to donate blood and that the blood you give is safe for patient use. That's why sometimes when you are feeling healthy, you still can not give blood.

When you are exposed to an illness it does not always mean that you will become ill. Often you have no indication that you have been exposed to an illness unless you begin to show its symptoms. Until then, you may feel just fine. It is possible, however, to have been exposed to an illness, not exhibit any of the symptoms associated with it and still pass the illness on to another person. That's why when you travel to an area that has a high occurrence of an illness which can be transmitted through blood, you can not donate until enough time has elapsed to rule out possible exposure.

If you have traveled to a country that has a high rate of malaria cases, there is a possibility that you were exposed to malaria. It could take up to six months before you show any symptoms. Therefore, for six months you can not donate blood. If you have taken anti-malarial medication, the medicine could depress the symptoms of the illness for up to three years. Chances are that you won't become ill, but only time will tell, so for three years you are not eligible as a blood donor.

Haiti, Zaire and some of its neighboring countries have a very high and unexplained incident of Acquired Immune Deficiency Syndrome (AIDS). AIDS is a serious illness which causes a profound weakening of the body's immune system. Generally, AIDS is transmitted through intimate contact or the exchange of bodily fluids. In these countries, however, these methods of transmission do not completely explain the high number of AIDS cases. Researchers have a lot of questions about the disease, but they don't have all the answers yet. Until more is understood about AIDS and why so many people in these countries have contracted the disease, people who have lived in Haiti, Zaire and its neighboring African countries or have traveled to these countries after 1977 must refrain from donating blood.

It is important to remember that you can not get AIDS from donating blood. All blood centers use sterile equipment which is destroyed after each use.

Deferral from donating blood because of travel does not necessarly mean you are in poor health or that you will become ill. But because the patients in our area hospitals are counting on people like you and Red Cross to provide the safest possible blood supply, we must sometimes err on the side of caution.

Tracey Garell is a Consultant, Donor Resources Development, American Red Cross, Washington, D.C

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Sea Resuce
Continued From page 25

helicopters were available and flight-ready. The Coast Guard duty officer asked how long the Customs crew could stay on station. The crew's flight engineer consulted his instruments and the answer was, "Another four hours, easily."

The Customs Officers transmitted geographic coordinates on the Coast Guard's own frequency and guided the first helicopter in as it approached.

The weather was good for flying, with scattered high clouds; but the sea was broken by a chop too heavy for the chopper to set down on the water. So the rescuers hovered above the rafts and winched ship crewmen up one at a time—16 of them. They comprised the entire crew, and none were injured.

The second helicopter arrived shortly after the rescue, circled the still-burning hulk for a careful inspection and flew off. The Customs crew had orbited the area throughout the evolution and now headed for Roosevelt Roads. They had promised four hours of on-scene support; and that's exactly what they had provided. It was just midnight as they left the brilliantly lit "party boat."

It turned out that the ship was the *Rosa Milla*, a Venezuelan tramp with a cargo of paper goods. Small wonder she burned so well.

The Customs P-3 revisited the area next day, but there was no sign of the doomed ship. She had been listing badly as the Customs men broke off their vigil during the fire; her remains, hidden under three miles of water, would no doubt remain on the bottom forever, worth only a fraction of the cost of salvage.

But her crewmen were safe, able to sail again on a less ill-starred ship. They had joined the thousands who owe their lives to the long legs and sharp electronic eyes of P-3s flown by navies and air forces—and now a customs service—throughout the Free World. ■

Physically Fit

Physically fit are Special Agent John Deacy, left; and Special Agent Robert Weber, right, Both Deacy, who is from Wilmington, N.C., and Weber, from Jacksonville, Fla., graduated earlier this year from Basic Agent training at the Customs Academy in Glynco, Ga. Both scored the maximum possible number of points in the Physical Efficiency Battery (PEB) testing. These tests measure body condition and timed mile-and-one-half runs. These men are the first Customs employees ever to achieve the maximum score in these tests at the Academy. What's more, only four other law enforcement officers who attended training at Glynco have equalled their scores. Standing between these two "fit" Customs Special Agents is Carolyn Diskin, Assistant Chief of the Physical Techniques Division at the Federal Law Enforcement Training Center at Glynco.

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Internal Affairs
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investigation as well as report on managerial type problems. Thus Customs is now able to respond to a particular problem which could have adverse publicity, etc., and quickly report the facts to Customs top executive management so appropriate decisions can be made. During the past several months, we have put on three training seminars at Glynco for the Office of Enforcement flying squad members as well as our own personnel to ensure that all of them are up to speed in the latest internal investigative techniques.

Other Changes Made

Numerous other changes have also been made to help maintain the high standards of honesty and protect the fine image of the Customs Service. The Table of Offenses has been changed in that controlled drug use or possession is now a removable offense for the first violation. U.S. Customs is a law enforcement agency and has no room for violators of the law. Another recent change is a new policy directive covering the majority of our cases. Many times, at the conclusion of our investigations, no wrongdoing on the part of subject employees is detected. Management is then required to advise the employee in writing that the investigation is complete and no action is going to be taken, thus letting the employee know the investigation is over.

The last change to be discussed concerns a somewhat expanded role for this office. With the increased threat of terrorist and criminal activity against U.S. Government employees, the Commissioner directed that the entire security function be placed in the Office of Internal Affairs. Our primary concern to date has been centered on physical security which surrounds the protection of employees and Government property. The other areas of security regarding communications, EDP, and classified documents are also being refurbished as of this writing and I am sure that more attention to these areas will be paid from now on.

Although Internal Affairs has never been and should never be a popular function for any organization, we are proud to be performing our mission. I have noted a great deal of support from all types of Customs employees in helping us to carry out our job. They believe as I do, one crooked employee is too many. ■

William Green is Assistant Commissioner for Internal Affairs

Commissioner's Round Table
Continued From Page 15

there, that adds a lot to your affadavit for the search warrant, even if you have one mailing.

Commissioner:

I wasn't aware of this guideline on multi-mailings and pedophile organizations. When did that come out?

O'Malley:

That's been in effect a long time. There are six criteria: multiple seizures within a 12 month period; membership in a pedophile organization or evidence that the postals are corresponding; occupation bringing a person in contact with children; evidence of distribution; large importations, which you probably won't see because the distributors send only two or three magazines max; and prior sex offenses, particularly those involving children.

Intinarelli:

One of the drawbacks is that pedophiles use multiple fictious names and mail drops. And if they have had no prior seizure under the name you have—whether it's a fictious name or their real name—within the period, you're not going to be able to know that this person has had 2, or 3, or 5, or 25 prior seizures.

Commissioner:

I am coming up against my schedule. At 12 o'clock I have to go to lunch with the Director General of French customs.

So, are there any other items that you'd like to bring to my attention?

Martinez:

There's one thing that I'll bring up. I have been made aware from various agents around the country that there is an internal problem, much like the problem with the U.S. Attorney's offices, in that there is a general feeling that once this Administration is out, then child pornography programs will be out, that it is a transient program.

Commissioner:

To answer your question, Kay, before this Administration came in, it appeared that the concern over moral issues, like pornography, particularly child pornography, wasn't much. But I can assure you that this Administration is very concerned about this. And I can tell you that the better a program we craft and the more of these people that we expose, prosecute, and incarcerate, the more life and long-term nature this program will have.

So, I think you're going to have a lot of time, certainly the next three years, to continue to build up an excellent program and to produce results that I believe will cause this program to continue into the indefinite future.

As I indicated in my earlier remarks, this program started off small. It's still small because it's a sensitive area. I personally felt that Customs should be involved in these activities.

I think we have established an extremely effective program, one whose results are very, very impressive. And I think that we are out of the woods with respect to any possible attacks as being some sort of book-burners. I mean, this is obviously a very, very serious program, one with a very high moral content, so, in that sense, I wouldn't be worried about it.

I think Mr. Meese's presence here is terrific. He is generally enthusiastic. And so you know, as we increase our pressure, our efforts, our support, our commitment to this, it's got to be met with similar commitments on the part of the prosecutors. You know that a lot better than I do.

Even in the drug area, we had problems in Florida. As we increased our commitment in Florida, they had to put more people in to prosecute the cases, and the judges had to be sort of juiced up to come up with better sentences.

It's the same thing. It's just three or four years behind the drug effort.

You've certainly got everybody's attention. You've got my attention. You've got the Treasury's attention. I think that all of the signs are right for this program really to continue to prosper.

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Technical Services Division for the scientific side, and the Office of Inspection and Control representing the principal user.

Considerable use has been made of the MOU since its signing, including additional joint funding of projects, sharing of information and the exchange of technical materials. At the Sixth U.S.-Canadian Conference, Commissioner von Raab and Deputy Minister Giroux called for more emphasis on cooperative projects by the respective R&D organizations. In response, the MOU Steering Committee proposed three additional joint projects and requested funds for them. Approval of these funds was subsequently provided, allowing each customs agency to share equally in their cost.

The new projects involve development and evaluation efforts in the technologies of gas chromatography (GC), ion mobility spectrometry (IMS) and nuclear magnetic resonance (NMR).

The GC project will provide for testing in a U.S. mail facility of a Canadian device that will detect cocaine and heroin particles and is intended for the screening of letter mail. Because Canadian postal regulations are more restrictive than U.S. regulations with respect to the handling of suspect mail, it is necessary to conduct field tests of this device in a U.S. facility where suspect mail can be opened and the performance of the device can be accurately measured. Although the United States would not be likely to use this device for the screening of letter mail, it might have other contraband detection applications.

Hand-Held Drug Detector in Works

The IMS project involves another Canadian method for the detection of heroin and cocaine. This project is not as far along as the GC device, but the initial research report indicates good potential for the development of a small hand-held device that would signal the detection of cocaine and heroin particles within seconds. Patterned after a British device to detect military chemical agents, this device could be used by U.S. Customs for the rapid screening of private aircraft, small boats and vehicles.

The NMR project involves the development of a U.S. device already capable of detecting cocaine in letter mail; the next jointly-funded phase of research will determine if it also could detect heroin. If successful, an NMR system would be capable of screening letter mail in bulk quantities rather than the lesser numbers required for the GC or IMS approaches.

The stated objectives of the MOU on R&D are fourfold:

- To provide a basis for the sharing and coordination of R&D activities.
- To reduce the unnecessary duplication of R&D efforts and maximize resource utilization.
- To resolve problems of common interests.
- Most importantly, to accelerate delivery to the field of a wider range of practicable enforcement aids and devices.

Thus far the MOU has been successful in the first three of these areas and also has accelerated some development efforts both in the U.S. and Canada, but the field has yet to see a significant impact in the availability of new technology. However, as a result of work now in process and the three new joint projects, it is expected that this objective too will be realized by not later than 1987.

Raymond D. Mintz is the Director of the Office of Enforcement Support.

Where Are They Today?

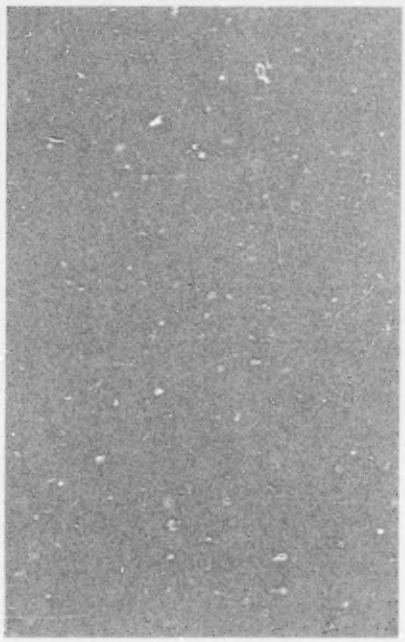
By Tony Rollo

In your 1985 Winter Issue of "Customs Today," you printed a nostalgic picture of an Inspector Training Class taken in 1966. I think Classification and Value should have its chance. this photo was taken on October 29, 1965. It was the Ninth New York Examiners Training Group assigned to the Old Appraisers Stores at 201 Varick St. on the 10th floor in New York City and instructed by the legendary Joseph Grubach, Appraiser of Customs at the Port of Detroit.

My name is Tony Rollo and I was a student at that class (middle row, last one going from the left to right.)

Where are they now? Well, after some extensive research I found out where every individual in that photo is today. May I lend you this photo and hope that you will print it in "Customs Today?" This picture really tells a great story as all of the students have made their mark either with Uncle Sam or made a successful life for themselves and their families in the private sector.

Tony Rollo—member—
9th N.Y. Examiners Training Group,
Sept. 20, 1965, to Dec. 15, 1965.



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Top Row (Left to Right)

Student, Richard Lombard, C&V Boston. He is now an Import Specialist (Team Leader) in Boston.

Student, Kenneth Wiley, Agent, Laredo, Texas. Ken is now the Director, D.E.A. (Drug Enforcement Administration) in McAllen, Texas.

Student, Frank De Mott, C&V N.Y. Seaport. He left Customs, and went to work for the American Manufacturers Association in New York.

Student, Barry Goldstein, N.Y. Seaport. Barry transferred to the L.A. Seaport and is an Import Specialist (Team Leader).

Student, Wilbur Nichols, Agent, San Francisco Seaport. Wilbur became the Regional Director of Investigations in N.Y. He is retired.

Michael Stramiello, Jr., the U.S. Appraiser of Merchandise, N.Y., now retired.

Joseph Grubach, Appraiser, Detroit (Instructor in Charge). He has passed on.

Harry Frumess, Chief Assistant Appraiser, New York. He has passed on.

John O'Loughlin, Liaison Off., Div. of Appraisement, Wash., D.C. (Assistant Instructor). Jack is now Director of Valuation, (Directorate, Customs Cooperation Council in Brussels, Belgium).

Herman Meyerson, Deputy Appraiser, N.Y. Seaport, now retired.

Student, John Murray, Examiner, N.Y. Seaport, now retired.

Student, Richard Lewis, Examiner, Norfolk, Va. He has passed on.

Student, Allard D'Heur, Examiner, Miami, Fla., now retired.

Student, George Koegler, Examiner, N.Y. Seaport. He left to become Import Manager for J.C. Penney in New York.

Student, John Cary, Examiner, Kansas City, Mo. Transferred to Chicago then left for private industry.

Middle Row (Left to Right)

Student, Edward Zilonis, Examiner, Providence, R.I. Left for private sector.

Student, Robert Hughes, Examiner, Dallas, Texas. Left for private industry.

Student, Lauro Cuellar, Examiner, Brownsville, Texas. He is still with Customs and is the only Import Specialist in Brownsville.

Student, Robert Follich, Examiner, N.Y. Seaport. He put his knowledge of Customs to work, became a lawyer and now owns a law firm specializing in Customs law.

Student, Judy Asher, Examiner, N.Y. Seaport. She left for private sector.

Student, Maria Rosario Reba, Examiner, Puerto Rico. Maria is now married and is with the Duty Assessment Division at Headquarters, Washington, D.C.

Student, Susan Weiss, Examiner, N.Y. Seaport. She left Customs to raise a family. Susan is the wife of Marty Weiss, Division Head at N.Y. Seaport.

Student, John Greico, Agent, N.Y. Seaport. He is now retired.

Student, Arthur Wilson, Examiner, Duluth, Minn. Art is now enjoying retirement.

Student, David Binder, Examiner, Cleveland, Ohio. Dave is now the Director of the Anti-Dumping Division with the Department of Commerce.

Student, Anthony Rollo, Examiner, N.Y. Seaport. Tony is now an Import Specialist Team Leader at the J.F.K. Airport in New York.

Front Row—Left to Right

Student, Peter Sabeo, N.Y. Seaport. Pete became the District Director in Buffalo. He is now retired.

Student, Morris Flug, Examiner, N.Y. Seaport. He is still at the Seaport as an Import Specialist.

Student, John Slater, Reports Examiner, N.Y. Seaport. John became a Customs Inspector.

Student, Raymond Corrigan, Examiner, N.Y. Seaport. Ray became a National Import Specialist and is now retired.

Student, Clarence Holmes, Examiner, New Orleans, La. He is now an operations officer with Regional Headquarters.

Student, Carl Abromowitz, Examiner, N.Y. Seaport. Carl is now a National Import Specialist and is still with Customs.

Student, Norbert Anderson, Examiner Baltimore, Md. He left Customs for greener pastures.

Student, Richard Crichton, Examiner, Champlain, N.Y. He is still at Champlain as an Import Specialist Team Leader.

Student, Arthur Doughtery, Examiner, N.Y., Seaport. Art is now the Assistant Area Director of C&V at J.F.K. Airport, N.Y.

Student, Mark Mahoney, Examiner, Buffalo. Mark is now a Supervisory Import Specialist at Buffalo.

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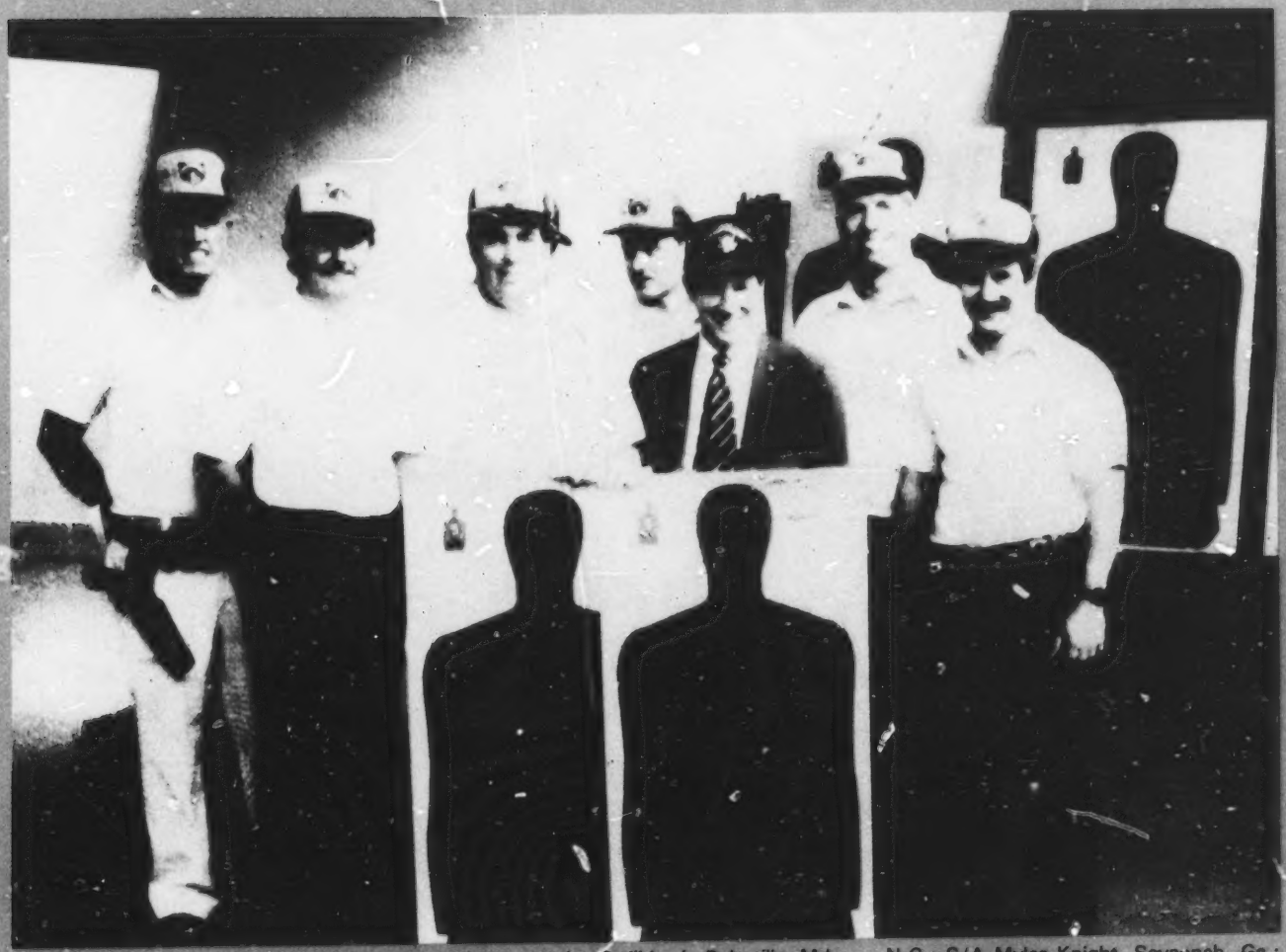
Customs Pistol Team Wins Championship



Members of the Customs Pistol Team pose with Commissioner von Raab after winning the 4-man team championship at the Secret Service pistol match earlier this year. They shot a 2,380-160X score out of a possible 2,400 points. The match was held at Secret Service training facilities in Beltsville, Md., and was sponsored by the National Rifle Association. It attracted 300 Federal, State, and local law enforcement officers. From the left: CPO Bob Nebergall, Cherry Point, N.C.; S/A Myles Knight, Savannah, Ga.; S/A Joe Parker, Lake Charles, La.; Inspector Barlow Hill, New York; Commissioner von Raab; CPO Ken Hiebert, Falcon Heights, Tex.; and Inspector Charles Grabbatin, J.F.K. Airport, New York.

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